

Crl.O.P.No.28439 of 2024**A.D.JAGADISH CHANDIRA, J.**

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The petitioner/A5, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 191(1), 191(3), 296(b), 115(1), 118(1), 351(3), 109 and 309(4) of BNS Act, in Crime No.555 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 01.11.2024, the petitioner along with other accused abused the de-facto complainant with filthy language and assaulted him with hands and beer bottles and also intimidated with dire consequences and A4 snatched a sum of Rs.2,000/- from the de-facto complainant's shirt pocket. There are totally 6 accused in this case and the petitioner is arrayed as A5. On the day of occurrence the petitioner is said to have gone to a petrol bunk to fill the petrol for his bike and at that time the de-facto complainant, who came there in an inebriated condition, started a wordy quarrel with the petitioner, which resulted in the occurrence. Hence the case.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this



case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) for the respondent while opposing for grant of anticipatory bail to the petitioner submitted that the petitioner along with other accused abused the de-facto complainant with filthy language and assaulted him with hands and beer bottles and also intimidated with dire consequences.

5. Heard both sides and perused the materials available on record including the FIR.

6. Considering the overtact of the petitioner herein and the submissions made by the learned counsel on either side and no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Thiruvallur** on condition that the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their



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photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent Police, everyday at 06.30 p.m., until further orders;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

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