



Crl.O.P.No.28560 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioners/A1 and A2 who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 329(4), 308(5), 296(b), 115(2), 76, 351(3) of BNS Act in Crime No.157 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 31.10.2024, the accused had come to the cracker shop of the de-facto complainant and taken crackers without paying money. When it was questioned by the de-facto complainant, the accused have abused her in filthy language and assaulted her causing injuries. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police while opposing for grant of anticipatory bail to the petitioners stating that there is two previous cases against the first



Crl.O.P.No.28560 of 2024

petitioner. He would further submit that there was a dispute with regard to purchase of crackers and during which time, the shop owner had abused the petitioners and based on the complaint given by the petitioners a case in Crime No.156 of 2024 has been registered under the SC&ST Act.

5. Heard the learned counsel for the petitioners, the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6.Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the fact that the injured have been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate, Polur, Tiruvannamalai District**, on condition that the petitioners shall execute a separate bond for a sum of



Crl.O.P.No.28560 of 2024

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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 petitioners and the sureties shall affix their 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 petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders;

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court



Crl.O.P.No.28560 of 2024

in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter abscond, a fresh FIR
can be registered under Section 269 of B.N.S.

15.11.2024

nvi



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Crl.O.P.No.28560 of 2024

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nvi

Crl.O.P.No.28560 of 2024

15.11.2024