



Crl.O.P.No.28596 of 2024

A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Section 140(3) of BNS, 2023 in Crime No.632 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, the defacto complainant one Yamunarani, lodged a complaint stating that the defacto complainant's son took a car on rental from one Prasanth (A1) and pledged the same for a sum of Rs.1,20,000/-, thereafter, A1 along with other accused had come to the defacto complainant's house, threatened her with dire consequences and also illegally detained the defacto complainant's son. Hence, this case.

3. Learned counsel appearing for the petitioners would submit that petitioners are innocent and have not committed any offence, as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the petitioners have no previous case and are ready to abide by any condition, that may be imposed by this Court and also to appear and co-operate for the investigation, therefore, he prayed for the grant of anticipatory



bail to the petitioners.

WEB COPY

4. Learned Government Advocate (Crl. Side) appearing for the respondent police while opposing for the grant of anticipatory bail to the petitioners, submitted that on account of rental car dispute between the defacto complainant's son and A1, the petitioners along with the A1 trespassed into the defacto complainant's house, threatened her with dire consequences and further illegally detained the defacto complainant's son. He would further submit that there is no previous case as against these petitioners and investigation is still pending.

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 counsels on either side and considering the fact that the petitioners have no previous cases, 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, Ambattur** on condition that the petitioners 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 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 6:30 p.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.



WEB COPY

Crl.O.P.No.28596 of 20



A.D.JAGADISH CHANDIRA, J.

stn

[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 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.

20.11.2024

stn



WEB COPY

Crl.O.P.No.28596 of 20



Crl.O.P.No.28596 of 2024