



Crl.O.P.No.28874 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest in connection with Crime No.224 of 2024, registered offences punishable under Sections 296(b), 118(1) and Section 351(3) BNS, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that due to a wordy quarrel, the petitioners and three unknown persons assaulted the de-facto complainant over a dispute related to parking of the vehicles. Hence, the case.

3. Learned Counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the petitioners are ready and willing to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police while opposing for grant of anticipatory bail to the petitioners, would submit that due to a wordy quarrel, the petitioners attacked the defacto



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complainant and sustained injury and now the de-facto complainant has been discharged from the hospital. The co-accused were already arrested and released on bail. No previous case is pending against the petitioners.

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

6. Considering the above facts and circumstances of the case, the submissions made by the learned counsel on either side, 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 No.1, Mettur, Salem**, on condition that the petitioners shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** each with two sureties, **out of which, one surety shall be either a father or a mother of the petitioners** 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



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shall stand dismissed and on further condition that:

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[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 his 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;

[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 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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

19.11.2024

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