



Crl.O.P.No.29916 of 2024

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SUNDER MOHAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 131, 351(2) of BNS Act r/w Section 4 of TNPHW Act in Crime No.739 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant, along with her sister, were talking near their house ; that it was questioned by the petitioners and a wordy quarrel arose between the petitioners and the defacto complainant ; and that the petitioners hence attacked the defacto complainant, outraged her modesty and forcefully took away a two sovereign gold chain. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and a false case has been foisted against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl.Side) would submit that due to previous enmity, a wordy quarrel arose between the petitioners and the defacto complainant, as a result of which, the petitioners attacked the defacto complainant and took away two sovereign of gold chain from the defacto complainant. He would further submit that the petitioners have no previous cases pending against them. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the nature of the allegation against the petitioners, their antecedents, the relationship of the parties and since custodial interrogation of the petitioners is not required, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, they 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 of receipt of a copy of this order, before the learned Additional Mahila Court, Chengalpet, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the respondent



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Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioners shall report before the respondent Police daily at 10.30 a.m for a period of two weeks and thereafter on every Saturday 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 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 of BNS.

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