



Crl.O.P.No.30131 of 2024

A.D.JAGADISH CHANDIRA, J.

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Apprehending arrest in connection with Crime No.288 of 2024 registered for the offences punishable under Sections 329(4), 296(b), 115(2), 118(1) & 351(3) of BNS, 2023 and Section 4 of TN Prohibition of Harassment of Women Act, the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He would submit that the petitioner and the defacto complainant are close relatives, due to wordy quarrel between them, the petitioner along with other accused had attacked the defacto complainant and threatened him with dire consequences. He would further submit that the injured person has been discharged from the hospital. He would submit that the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for



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grant of anticipatory bail, is that the petitioner along with other accused had broke the lock, trespassed into the house of the defacto complainant and stayed for two months without their knowledge. On one fine day, upon entering the house, the de facto complainant found liquor bottles and other evidence. When it was questioned, the accused had assaulted the defacto complainant with wooden log, thereby caused injuries. He would further submit that the injured person has been discharged from the hospital.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, and taking into the fact that the injured person has been discharged from hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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 of receipt of a copy of this order, before the *learned II Metropolitan Magistrate, Egmore, Chennai* on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two sureties for a like sum to the satisfaction of the respondent Police or the Police officer who intends to



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arrest or to the satisfaction of the said Magistrate, on further condition that:

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

[b] the petitioner 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;

[c] the petitioner shall report before the respondent Police everyday at 10.30 a.m., until further orders;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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];

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

03.12.2024

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