



Crl.O.P.No.30738 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.463 of 2024, registered for the offences punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 127(2), 109 & 351(3) of BNS r/w. 4 of TNPWH Act, the present petition has been filed seeking anticipatory bail.

2.The case of the prosecution is that on account of previous enmity, the accused had abused the defacto complainant in filthy language and when the same was questioned by her husband, the accused had attacked him with knife, resulting in which, the victim sustained injuries. Hence, the case.

3.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 further submit that the petitioner had moved anticipatory bail application before this Court in Crl.O.P.No.28074 of 2024 and the same was dismissed as withdrawn on 19.11.2024. He would further submit that A5 and A6 were released on bail by the learned Principal District and Sessions Judge, Cuddalore on 28.10.2024 in Crl.M.P.No.7096 & 7138 of 2024 and A4 was released on bail by this Court in Crl.O.P.No.29900 of 2024 on 29.11.2024. He is ready to



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abide by any stringent condition that may may be imposed by this Court.

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4.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that due to the property dispute, the accused had abused and assaulted the defacto complainant and her husband. He further submitted that civil disputes are also pending between the victim and the accused. He also submitted that the specific overt act against the petitioner is that he had caught hold of the hands of the victim during the incident and further, now the victim has been discharged from the hospital.

5.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, the petitioner 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 **Judicial Magistrate/Additional Mahila Court, Cuddalore**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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



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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 petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of one week and therefore, every Saturday at 10.30 a.m. until further orders;

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

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

10.12.2024

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