



WEB COPY



Crl.O.P.No.30443 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 30443 of 2024

1. Sankar Alias Sankaran
2. Lokesh @ Lokeshwaran
3. Sathya

Petitioner(s)

Vs

State Rep. By
The Inspector Of Police,
Pothatturpet Police Station,
Thiruvallur District.
Crime No.474 of 2024

Respondent(s)

Crl.O.P.No.30443 of 2024: Petition is filed under Section 482 of B.N.S.S to enlarge the petitioner on bail in the event of their arrest by the respondent police concerned in Crime No.474 of 2024 pending on the file of the respondent police.

For Petitioner(s):

P.Narayana Prasadh

For Respondent(s):

S.Santhosh
Government Advocate (Crl.side)



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ORDER

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registered for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of B.N.S, the present petition has been filed seeking anticipatory bail.

2. Learned Counsel for the petitioner would submit that the petitioners and defacto Complainant are neighbours and due to long standing dispute and verbal quarrel between them, the defacto complainant had lodged a false case on the petitioners due to previous enmity. Pleading innocence on the part of the petitioner, the learned counsel for the petitioner seeks indulgence of this Court. He also submits 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 (Crl. Side) appearing for the respondent Police, while opposing for grant of anticipatory bail, is that there was previous enmity between both the parties and the petitioner abused and assaulted.



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, this Court is inclined to grant anticipatory bail to the petitioners 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 District Munsif cum Judicial Magistrate Court, Pallipattu, on condition that the petitioner shall execute a 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 said Magistrate, on further condition that:

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

[b] the petitioners shall stay at Tiruttani and report before the Inspector of Police, Tiruttani Police Station, Chennai, everyday at 10.30 a.m., until further orders;

[c] It is made clear that the Petitioners shall not enter into the jurisdictional limits of the respondent police until further orders;



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

[e] the petitioners 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 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];

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

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Shl



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A.D.JAGADISH CHANDIRA, J.

Shl

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