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CrI.O.P.No.31239 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31239 of 2024

AKASH

S/o.Kumar, No. 77(2) House, Tondaiyarpeth High
Road, Kodungaiyur, Chennai -600 118.

Petitioner(s)

Vs

The State Rep by
The Inspector Police, Thiruverkadu Police Station,
Tiruvallur District. Crime No. 761/2024.

Respondent(s)

For Petitioner(s):

Raja D
M.Ezhilarasu
N.Varsha

For Respondent(s):

Public Prosecutor

ORDER

Apprehending arrest in connection with Crime No.761 of 2024 registered for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3), 324(2) of BNS, the present petition has been filed by the petitioner seeking anticipatory bail.



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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 further submits that the petitioner is a law college student. He would submit that A2 was arrested and released on bail and 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 put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner along with other accused, in an inebriated drunken condition, went to the tea shop of the defacto complainant and tried to smoke. When the same was questioned, the petitioner damaged the tea shop and other articles and also assaulted him, due to which, the defacto complainant sustained injuries. He would submit that there are no previous cases against the petitioner. He would also submit that the injured has been discharged from the hospital.

4.Having heard the learned counsel for the petitioners and the learned



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Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record and also considering that the injured discharged from the 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 **Judicial Magistrate II, Poonamallee**, on condition that the petitioner shall execute separate 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 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 their Aadhar card or Bank pass Book to ensure their identity.

[b]the petitioner shall report before the respondent police every Saturday at 10.30 a.m. for a period of four



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**weeks and thereafter as and when required for
interrogation.**

A.D.JAGADISH CHANDIRA, J.

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[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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

16.12.2024

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To

1. The Judicial Magistrate II, Poonamallee
2. The Inspector Police, Thiruverkadu Police Station, Tiruvallur District.



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