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Crl.O.P.No.2239 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.2239 of 2025

1.J.Mythily

2.Sathyabama

3.Jayaseelan

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
J-6, Thiruvanmiyur Police Station,
Chennai.
(Crime No.314 of 2022).

... Respondent

For Petitioners : Mr.Veera Narayanan

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No. 314 of 2022 registered for the offences punishable under Sections 341, 294(b), 323, 324 and 506(2) of IPC, the present petition has been filed by the petitioners seeking anticipatory bail.



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2. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seek indulgence of this Court. He also submits that the petitioners are in no way connected with the alleged offence, and due to a pre-existing civil dispute in OS.No.4084 of 2018 regarding the usage of a pathway, the petitioners are falsely implicated in this case. He further submits that the petitioners are 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 grant of anticipatory bail, is that on 04.09.2022, due to a pathway dispute, the petitioners waylaid the defacto complainant and his brother, abused them with filthy language and they also attacked them with their hands, thereby causing simple injuries to them and also threatened them with dire consequences. He further submits that no previous case are pending against the petitioners.

4. Having heard the learned counsel for the petitioners 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



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petitioners with certain conditions and 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 XVIII Metropolitan Magistrate Court, Saidapet, Chennai, 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 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 petitioners 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 petitioners shall report before the respondent police everyday 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.



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[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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

30.01.2025

drl

To

- 1.The Inspector of Police,
J-6, Thiruvanmiyur Police Station,
Chennai.
2. The Public Prosecutor,
High Court of Madras.

A.D.JAGADISH CHANDIRA.,J.



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