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Crl.O.P.No.32421 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **20-01-2025**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 32421 of 2024

1.Thamizharasi
2.Kalaivani
3.Roja@Rojamani
4.Nivedha

Petitioner(s)

Vs

The State Rep by its
The Inspector of Police, N4 Fishing Harbor Police
Station,
Chennai. (Cr.No.380 of 2024)

Respondent(s)

For Petitioners:

Mr.Ezhil Balaji

For Respondent:

Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No.380 of 2024 registered for the offences punishable under Sections 296(b), 115(2), 351(3) and 74 of Bharatiya Nyaya Sanhita, 2023, the present petition has been filed 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 seeks indulgence of this court. He would submit that due to quarrel in the neighborhood, a false complaint has been given. He would further submit that the petitioners are ready to abide by any stringent conditions 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 the grant of anticipatory bail, is that, due to previous enmity, the petitioners/A-1 to A-4 attacked the defacto complainant and her daughter with hands. The learned counsel further submits that A-1 has 11 previous cases, all of which are related to Prohibition Act and other petitioners/A-2 to A-4 have no previous cases.

4. Having heard the learned counsel for the petitioners, 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 petitioners with certain conditions.



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5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **XVI Metropolitan Magistrate, George Town, Chennai**, on condition that the petitioners shall execute a separate 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 to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

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

[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;

[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



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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 of B.N.S.

20.01.2025

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