

**CRL.O.P.No.28804 of 2023**

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**P.DHANABAL, J.**

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 341, 324, 427 & 506(ii) of IPC in Crime No.436 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 23.11.2023, due to wordy quarrel arose between the defacto complainant and the petitioner with respect to collusion of two-wheeler of the petitioner with the car of the defacto complainant and the petitioner along with other accused have chased the car of the defacto complainant and damaged his car and mobile phone, abused him in filthy language and assaulted him. Hence, the case.

3.The learned counsel for the petitioner would contend that the petitioner is innocent of the offence as alleged by the prosecution. He further contended that the petitioner is ready to abide by any stringent condition imposed by this Court. Hence he seeks anticipatory bail.



4.The learned Government Advocate (Crl. Side) would submit that due to wordy quarrel between the petitioner and the defacto complainant regarding collusion of their vehicles, the petitioner along with other accused have chased the defacto complainant's car and damaged the car and his mobile phone, abused him in filthy language and assaulted him. He further submit that there are six previous cases against the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Heard both side and perused the materials available on record.

6.Considering the rival submissions of the learned counsel on either side and considering the nature of offences, except 506(ii) of IPC, other offences are bailable in nature, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7.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 on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate, Kalasapakkam, Thiruvannamalai District 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 learned Magistrate concerned and on further

condition that:

**[a] the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.**

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

**28.12.2023**

rjr



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**P.DHANABAL,J**

rjr

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