

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
CUDDALORE DISTRICT, CUDDALORE

Present: Thiru.S.Jawahar, B.L.,
Principal Sessions Judge,
Cuddalore.

Friday, the 20th day of December 2024

Crl. Misc. Petition No. 8598/2024

Ethiraj, age 38, S/o. Samraj >> Petitioner/Accused

.Vs.

S.H.O. Cuddalore N.T. P.S.,
Cr.No.505/2024 >> Respondent/Complainant

This petition is coming for hearing before me on this day in the presence of Thiru.K.Lenin, Advocate for the petitioner and of Public Prosecutor for the respondent and this Court made the following

ORDER

Heard both sides.

This petition is filed U/s.482 of BNSS for seeking Anticipatory Bail.

Prosecution case is that the FIR was registered as against the Petitioner/Accused for the alleged offences punishable U/Ss.296(b), 115(2) and 351(2) of BNS for the alleged occurrence took place on 15.12.2024 and the FIR was registered on 16.12.2024.

The Learned Counsel for the Petitioner/Accused has contended that the Respondent Police have registered an FIR as against the Petitioner/Accused and that he has been falsely implicated in this case and he has not committed any offence as alleged in FIR. The injured was discharged from the hospital. Hence, prays to allow the petition.

Notice was ordered to the Learned Public Prosecutor and he has appeared before this Court and contended that the injured was discharged from the hospital and hence, he has no serious objection to grant Anticipatory bail to the Petitioner/Accused.

Considering the rival submissions of both sides and considering the facts and circumstances of the case and the injured was discharged from the hospital, this Court is inclined to grant Anticipatory bail to the Petitioner/Accused with the following conditions:-

The Petitioner/Accused is ordered to be enlarged on bail in the event of arrest or on his surrender on or before **03.01.2025** before the **Learned Judicial Magistrate No.II, Cuddalore** on his executing a bond for Rs.10,000/- (Rupees ten thousand only) along with two sureties each for a like sum to the satisfaction of the said Court, **failing which the Anticipatory bail granted by this Court shall stand dismissed automatically** and further the **Petitioner/Accused shall sign before the SHO Respondent Police Station daily at 10.30 AM** for 15 days and thereafter as and when required. Further conditions that

(i) the Petitioner/Accused shall make himself available for interrogation by a police officer as and when required.

(ii) the Petitioner/Accused shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) the Petitioner/Accused shall not leave India without the previous permission of the Court.

(iv) Further on breach of any of the aforesaid conditions, the Learned Magistrate/Trial Court is entitled to take appropriate action against the Petitioner/Accused in accordance with law as if the conditions have been imposed and the Petitioner/Accused 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).

(v) If the Petitioner/Accused thereafter absconds, a fresh FIR can be registered Under Section 269 of BNS.

Accordingly, this petition is allowed.

Pronounced by me in Open Court, this the 20th day of December 2024.

PRINCIPAL SESSIONS JUDGE,
CUDDALORE.

To : The Judicial Magistrate No. II, Cuddalore.

Copy to : S.H.O. Cuddalore N.T. P.S.

Through
E-Mail only