Crl.O.P.No.10164 of 2019

N.ANAND VENKATESH,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294 (b) and 353 IPC, in Crime No.106 of 2019 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the Collection Assistant belonging to Sri Lakshmi Narayanan Co-operative Urban Bank, Thiruvarur had approached the petitioner in order to collect the loan dues. He was abused by the petitioner in filthy language and the petitioner's son (A2) had slapped the Collection Assistant.

3. The learned counsel appearing for the petitioners submitted that a false case has been foisted against this petitioner and he has nothing to do with the alleged offence.

4. The learned Government Advocate(Crl.Side) submitted that the collection agent who was performing his official duty was abused and slapped by the accused persons.

5. Taking into consideration of the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

6. Accordingly, the petitioner is ordered to be released on anticipatory 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 Judicial Magistrate, Thiruvarur, on condition that the petitioner shall execute a bond for a sum of Rs.5,000/- (Rupees five 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 said Magistrate, on further condition that:

http://www.judis.nic.in

N.ANAND VENKATESH,J.

mpa/rka

[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 Monday at 10.30 am for a period of four weeks and thereafter, as and when required for interrogation.

[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];*** and; **[f]** if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

15.04.2019

mpa/rka

WEB COPY

http://www.judis.nic.in