



Crl.O.P.No.15315 of 2022

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M.DHANDAPANI,J.

The petitioner who apprehends arrest for the alleged offence under Section 306 of IPC in Cr.No.502 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant's husband borrowed a sum of Rs.4,00,000/- from the petitioner and thereafter, he has repaid the same. However, the petitioner continuously harassed the de-facto complaint's husband and demanded an exorbitant sum of Rs.2,60,000/-, due to which, the de-facto complainant's husband committed suicide by hanging and he had also left a suicide note. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the earlier anticipatory bail applications filed by the petitioner were rejected on the ground that there are four previous cases pending as against the petitioner, however, all the said previous cases have ended in acquittal and as on date, no previous case is pending against the petitioner. Hence, he prays for grant



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of anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl. side) submitted that there is no previous case pending as against the petitioner.

5. This Court dismissed the earlier anticipatory bail applications filed by the petitioner on the ground that the petitioner is an habitual offender (History sheeter) and there are four previous cases pending against him. However, it is brought to the notice of this Court that, all the said previous cases pending as against the petitioner have ended in acquittal and as on date, there is no previous case pending against the petitioner. In view of the above change of circumstance pointed out by the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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 of receipt of a copy of this order, before the learned **Judicial Magistrate, Tiruvottiyur** 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 respondent police or the



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police officer who intends to arrest or to the satisfaction of the learned

Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 daily at 10.30 a.m. until further orders;

(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.



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