



Crl.O.P.No.17731 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(ii) IPC in Crime No.813 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with A1 received a sum of Rs.40,000/- from the defacto complainant in order to drop the departmental proceedings against the defcto complainant. Thereafter, the petitioner neither drop the departmental proceedings nor return the amount to the defacto complainant, which was questioned by the defacto complainant, the petitioner assaulted and threatened him with dire consequences. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioner is no way connected with the alleged offence and the petitioner is wife of A1, she has nothing to do with the said offence. Therefore, he prays to grant anticipatory bail to the petitioner.



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4. The learned Additional Public Prosecutor would submit that the petitioner and along with A1 received Rs.40,000/- from defacto complainant in order to drop departmental proceedings against the defacto complainant and cheated him. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate No.I, Dharmapuri, 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 police officer who intends to arrest or to the satisfaction of



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the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed 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 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 daily at 10.30 a.m. for a period of two 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]**.



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

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