



Crl.M.P.No.12965 of 2022 in Crl.O.P.No.16186 of 2022

Crl.M.P.No.12965 of 2022

in

Crl.O.P.No.16186 of 2022

WEB COPY

G.K.ILANTHIRAIYAN, J.

This petition has been filed to cancel the anticipatory bail granted to the second respondent in Crl.O.P.No.16186 of 2022 dated 18.07.2022 in Crime No.34 of 2022 registered for the offences under Sections 417, 376 and 506(i) of IPC.

2. Heard both sides.

3. The second respondent apprehends arrest at the hands of the first respondent and filed a petition for anticipatory bail in Crl.O.P.No.16186 of 2022. By an order dated 18.07.2022, this Court granted anticipatory bail to the second respondent with 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 Judicial Magistrate No.I, Villupuram, Villupuram District** on condition that the petitioner shall execute separate 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 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., 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]**.*

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

4. The petitioner/defacto complainant filed this petition to cancel the anticipatory bail granted to the second respondent herein on the ground that, after granting anticipatory bail to the second respondent, the second respondent threatened the petitioner to file a petition to quash on the ground of compromise. Therefore, the petitioner lodged a complaint on 03.08.2022, before the first respondent.

5. It is seen that the petitioner lodged a complaint on 03.08.2022. However, there is no proof to show that the said complaint was received by the first respondent.

6. A perusal of the complaint dated 03.08.2022, revealed that the second respondent compelled the petitioner to go for compromise quash. He also threatened the petitioner with dire consequences. Therefore, if at all any cognizable offence is made out in the complaint lodged by the petitioner, the first



Crl.M.P.No.12965 of 2022 in Crl.O.P.No.16186 of 2022

respondent can very well register an FIR as against the second respondent for appropriate action.

7. Therefore, this Court finds no grounds to cancel the anticipatory bail granted to the second respondent herein.

8. In view of the above, this Criminal Miscellaneous Petition stands dismissed.

27.09.2022

($\frac{1}{2}$)

mn

G.K.ILANTHIRAIYAN, J.



WEB COPY



Crl.M.P.No.12965 of 2022 in Crl.O.P.No.16186 of 2022

mn

Crl.M.P.No.12965 of 2022
in
Crl.O.P.No.16186 of 2022

27.09.2022