



Crl.O.P.No.19449 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), 506(i) and 420 IPC, in Crime No.276 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant went to Nimalam E Sevai Maiyam for renewal of his auto vehicle insurance policy, the petitioner delayed for registering the insurance copy for his vehicle and in that wordy quarrel happened. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that the petitioner received due amount from the defacto complainant in order



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to renew the insurance policy of his vehicle and neither renew nor return the amount. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen that the petitioner is working as a staff in insurance company and after receipt of the amount the petitioner failed to renew the insurance police. The learned counsel for the petitioner submitted that the amount which was paid by the defacto complainant was already deposited before the insurance company, since No claim bonus report issued with earlier insurance company and therefore, the delay occurred.

6. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain 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 Judicial



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Magistrate, Kumarapalayam, Namakkal District, 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 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



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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.

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