



Crl.O.P.No.20061 of 2022

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**G.K.ILANTHIRAIYAN, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 294(b), 324 and 506(ii) of IPC in Crime No.922 of 2021, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant was working as a Supplier in the Wine shop and there was a wordy quarrel between the petitioner and the defacto complainant regarding money, due to which, the petitioner abused the defacto complainant and his friend with filthy language and attacked him with stones, threatened him with dire consequences and caused injuries on him. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner was already granted anticipatory bail on 03.01.2022 in Crl.O.P.No.25658 of 2021. Due to personal inconvenience, the petitioner was not able to execute the sureties and therefore, the petitioner has again filed the present petition seeking for



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anticipatory bail. On instructions, he would further submit that the petitioner is ready to deposit an amount of petitioner shall deposit a sum of Rs.5,000/- (Rupees Five thousand only) as non refundable deposit to the credit of COVID-19 SALEM DISTRICT and prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) would submit that the petitioner was already granted anticipatory bail on 03.01.2022 in Crl.O.P.No.25658 of 2021 and he has not able to execute the sureties in time as directed by this Court. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels and also taking note of the fact that the petitioner has come forward to deposit an amount of **Rs.5,000/-** to the credit of COVID-19 SALEM DISTRICT, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall deposit a sum of **Rs.5,000/-** (Rupees Five Thousand only) as non refundable deposit to the credit of



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COVID-19 SALEM DISTRICT ; SB.A/c No : 190601000434; IFSC code : ICIC0006119; The Personal Assistant (General) to the Collector, Collectorate, Room No.117, First Floor, Salem-636 001, Ph.No.9445008148 and on such deposit 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, Ambattur, Thiruvallur 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.



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[b] the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Crime No.922 of 2021 before the concerned court **within a period of two weeks and the defacto complainant is permitted to withdraw the said deposit amount of Rs.5,000/- on proper identification and acknowledgment;**

[c] the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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]**.

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

**24.08.2022**

Vv



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**24.08.2022**