



Crl.O.P.No.21640 of 2022

A.D. JAGADISH CHANDIRA, J.,

WEB COPY

The petitioner, who apprehends arrest for the alleged offences under Section 174 Cr.PC in Crime No.21 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner would submit that the petitioner was granted interim bail on 26.03.2020 in Crl.OP.No.7047 of 2020. Subsequently, it was also made absolute by an order dated 10.06.2022. However, the petitioner was unable to execute the sureties as directed by this Court and thereby the present application has been filed.

3. Per contra, the learned Government Advocate (crl.side) would submit that since the petitioner had not complied with the conditions, the respondents are unable to file final report.

4. Heard both sides and perused the materials available on record.

5. It is seen that the petitioner was granted interim bail on 23.06.2020 and subsequently, it was made absolute on 10.06.2020. Whereas, the petitioner has not surrendered and executed the sureties as directed by this Court.



WEB COPY

6. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions :

[a] the petitioner is directed to deposit a sum of Rs.3,000/- (Rupees Three Thousand only) as non-refundable deposit either through RTGS/NEFT or in cash in favour of "District Legal Services Authority, Thiruvallur District" concerned within fifteen (15) days from the date of receipt of a copy of this order. Thereafter, the petitioner is directed to be released on bail in the event of his arrest or on his appearance and on production of proof of payment of the above amount

[b] 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 Judicial Magistrate No.II, Thiruvallur, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:-

[c] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the respondent/police may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[d] the petitioner shall report before the Judicial Magistrate No.II, Thiruvallur on all working days for a period of two weeks and thereafter as directed by the Court concerned.

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

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

[g] 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 are 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]**.

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

With the above directions, this Criminal Original Petition is ordered.

14.09.2022

tsh



WEB COPY



A.D. JAGADISH CHANDIRA. J,
tsh

Crl.O.P.No.21640 of 2022

14.09.2022.