



Crl.O.P.No.20814 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 341, 294(b), 326, 307, 397 and 506(2) of IPC in Crime No.188 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner/A3 and one Fathima had demanded mamool from the defacto complainant for running a petty shop in the beach on behalf of one Vinoth/A1. Refused to pay the mamool, the petitioner abused the defacto complainant in filthy languages and thereby, on the same day at 20.30 hours, A1 assaulted the de-facto complainant, resulting in his little finger got severed. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has been unnecessarily roped in the case. Since she happens to be the friend of the first accused, she has



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been falsely implicated in this case. He further submit that all the other accused are already arrested and A2 and A4 were enlarged on bail and A1 was detained under Act 14 of 1982. As per the complaint, the petitioner has not assaulted the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioner and along with other accused demanded mamool from the defacto complainant and assaulted her with knife, due to which, the little finger of the defacto complaint was severed. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Heard the learned counsel and perused the materials available on record including the First Information Report.

6.Taking into consideration the facts of the case and also taking note of the fact that as per the complaint, she has not assaulted the



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defacto complainant, 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 her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Metropolitan Magistrate No.II, Egmore**, on condition that the petitioner shall execute a bond for **a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties** 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 shall report before the respondent police daily at 10.30 a.m. and 05.30 p.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;

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