



Crl.O.P.No.21439 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 294(b), 506(ii) and 509 of IPC in Crime No.177 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner abused the defacto complainant with a filthy language and also criminally intimidated her. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner was assaulted by the husband of the defacto complainant one V.Manikandan and the petitioner has sustained serious injuries and the petitioner was admitted in the hospital. Based on the complaint given by the petitioner, a case has been registered in respect of the above incident. In order to wreck vengeance, a false complaint has been given as against the counter complaint given by the petitioner in Crime No.176 of 2022 registered for the offences under



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Sections 294(b), 323, 324 and 506(ii) of IPC. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that the petitioner, who is the neighbour, had abused the defacto complainant with a filthy language and also criminally intimidated her and attempted to outrage her modesty. Based on the complaint given, a case in Crime No.177 of 2022 for the offences under Sections 294(b), 506(ii) and 509 of IPC was registered as against the petitioner. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel and perused the materials available on record including the First Information Reports in both cases.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;



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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, Yercaud**, on condition that the petitioner shall execute a bond for a **sum of Rs.25,000/- (Rupees Twenty Five 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.**

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[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.

06.09.2022

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