



Crl.O.P.No.21426 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), 354-A and 506(ii) of IPC in Crime No.511 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner, who is the neighbour of the defacto complainant, used to abuse her, took photographs of her and insisted her to succumb to his desire and had 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 there are civil dispute between the petitioner and family of the defacto complainant and a case is pending in A.S.No.62 of 2022 on the file of the Sub Court, Namakkal and a false



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complaint has been given against the petitioner. 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 of the defacto complainant, in the absence of her husband had abused her and attempted to outrage her modesty. 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 Report/Complaint.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel and also it appears that civil dispute is pending between the parties, 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-I, Namakkal**, 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 stay at Trichy and report before the Cantonment Police Station daily at 10.30 a.m., until further orders.**

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



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[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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