



Crl.O.P.No.22245 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) and 506(i) of IPC and Section 3(i) of TNPPDL Act in Crime No.100 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant who is President of Panchayat is that the petitioner abused the defacto complainant and invited a quarrel. During the quarrel, the petitioner caused damages to the street lights and E.B Meter box belonging to the Panchayat. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Due to political reasons, the defacto complainant has given a false complaint against him. He would further submit that without prejudice the petitioner is prepared to deposit a sum of Rs.5,000/- towards the damage alleged to be caused to the lights and



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meter box in the Panchayat. 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 defacto complainant is a President of Panchayat. He would further submit that the petitioner abused the defacto complainant and invited a quarrel and also caused damages to the street lights and E.B Meter box belonging to the Panchayat. 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 Counsel, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;

6.Accordingly, the petitioner is ordered to be released on bail on condition to make a non refundable deposit of Rs.5,000/- (Rupees Fiven Thousand only) **to the credit of the Executing Officer in the concerned Panchayat** and on such deposit and on receipt of proof of



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payment, 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 No.I, Mannargudi, 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.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter every Saturday 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;

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22.09.2022

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