



Crl.O.P.No.22519 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 147, 341, 294(b), 384, 506(i) of IPC in Crime No.120 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused waylaid the defacto complainant's vehicle and demanded Rs.1000/- from him. When the same was refused by the defacto complainant, the petitioner along with other accused abused him in filthy language and also threatened him with dire consequences. 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. He would further submit that other accused in this case have been enlarged on anticipatory bail by this Court in Crl.O.P.No.19297 of 2022. Therefore, he prays for grant of anticipatory



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bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner along with other accused waylaid the defacto complainant's vehicle and demanded Rs.1000/- from him and also threatened the defacto complainant with dire consequences. He would further submit that the petitioner is an habitual offender. 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 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, Ulundurpet on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)



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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 and 05.30 p.m., for a period of three weeks and thereafter as and when required for interrogation.

[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



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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;

**22.09.2022**

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