



Crl.O.P.No.22467 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 offence punishable under Section 353 of IPC in Crime No.193 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner who is the son of the judgment debtor had prevented the Bailiff from discharging her official duty. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is the son of the judgment debtor. The Court officials without following the procedure attempted to execute the warrant, when it was objected, a false complaint has been given against the petitioner. However, the petitioner was prevented from going near the place and that even as per the first information report, the warrant has been executed by the authorities. Hence, he seeks for anticipatory bail.

4.The learned Government Advocate (Crl. Side) appearing for the



Crl.O.P.No.22467 of 2022

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respondent Police would submit that the petitioner who is the son of the judgment debtor had prevented the Bailiff from discharging her official duty. He would further submit that there is no previous case pending against him. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Taking into consideration the facts and submissions of 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 No.II, Coimbatore 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



Crl.O.P.No.22467 of 2022

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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;

[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.**



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Crl.O.P.No.22467 of 2022

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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Crl.O.P.No.22467 of 2022

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Crl.O.P.No.22467 of 2022

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