



Crl.O.P.No.23554 of 2022

Crl.O.P.No.23554 of 2022

A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 294(b), 323, 353, 506(i) of IPC in Crime No.1294 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant who is a Senior Ameen, City Civil Court, went to execute the court warrant, at that time, the petitioner had abused, assaulted and prevented him from discharging his duty. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the de-facto complainant had attempted to execute the warrant without following the proper procedure. When it was questioned by the petitioner, the de-facto complainant filed a false complaint against him. He would further submit that now major part of the investigation has been completed and the petitioner is prepared to co-operate with the



Crl.O.P.No.23554 of 2022

WEB COPY

investigation. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the petitioner had prevented the de-facto complainant from discharging his official duty. He would further submit that the investigation has been completed and the charge sheet is also made ready and it will be filed before the learned V Metropolitan Magistrate, Egmore, Chennai. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for both sides. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the



CrI.O.P.No.23554 of 2022

WEB COPY

learned V Metropolitan Magistrate, Egmore, Chennai, on condition that the each of the petitioners 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 **on all working days at 10.30 am for a period of four weeks and thereafter on the date fixed by the learned Metropolitan Magistrate.**

[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.

A.D.JAGADISH CHANDIRA, J.



WEB COPY



Crl.O.P.No.23554 of 2022

gd/vkr

[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.

13.10.2022

gd/vkr

Crl.O.P.No.23554 of 2022