



Crl.O.P.No.24473 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 448, 294(b), 323, 506(i) of IPC in Crime No.205 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Manivelu is that the accused had illicit intimacy with his daughter and had also taken 5 sovereigns of jewel from her. When it was questioned by the defacto complainant, the accused had abused him with filthy language and also threatened him. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the daughter of the defacto complainant is presently living with the petitioner and antagonized by the same, the defacto complainant has given a false complaint. Hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (CrI. Side) would submit that the accused had illicit intimacy with the daughter of the defacto complainant and had also taken 5 sovereigns of jewel from her. When the same was questioned by the defacto complainant, the accused had abused him with filthy language and threatened him. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Mr.A.Sathish Kumar, learned counsel appearing for the intervener would submit that the daughter of the intervener is now in the custody of the accused.

6. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail with certain conditions.

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, No.II, Mettur, Salem District** on condition that the petitioner shall execute separate 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 daily 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. State of Kerala [(2005)AIR SCW 5560]**.



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[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 229A IPC.

14.10.2022

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