



Crl.O.P.No.25969 of 2022

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WEB CO **A.D.JAGADISH CHANDIRA, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 294 (b), 448, 353, 323 and 506(i) IPC in Crime No.163 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the supervisor of the TASMACH shop and it is alleged that the petitioner, belonging to a particular political party had threatened and intimidated the defacto complainant and demanded an amount of Rs.10,000/- towards donation for his political party. Thereby the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he belongs to a registered political party. He would submit that he received complaints from many customers of the defacto complainant that the bottles in his shop were sold for higher price. When the same was questioned by the petitioner, a false complaint has been given as against the petitioner as if he has extorted money from the defacto complainant. Hence, he prays to grant



anticipatory bail to the petitioner.

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4. The learned Government Advocate (Crl.Side) would submit that the petitioner claims to be the member of a political party had extorted money from the defacto complainant. He would also submit that there is one previous case pending as against him in Cr.No.123 of 2022. Hence, he opposed to grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and the submissions, 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate, Cheyyur on condition that the petitioner 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



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shall stand dismissed and on further condition that:

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[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 5.30 p.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]**.

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

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