



Crl.O.P.No.26796 of 2022

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A.D.JAGADISH CHANDIRA.J.

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 341 and 506(i) of IPC in Crime No.469 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that there was a quarrel in respect of parking of the car in front of the house of the defaccto complainant, the petitioner had abused him in filthy language and also assaulted him. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and due to previous enmity in respect of the civil dispute filed by the petitioner, a false complaint has been given against him. He would further submit that he has nothing to do with the alleged offence. Hence, he seeks for anticipatory bail.



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4. The learned Government Advocate (crl.side) appearing for the respondent would submit that the petitioner has parked a car in front of the house of the defacto complainant, while he requested to move the car, the petitioner has abused him in filthy language and also assaulted him, resulting in him sustaining injuries. He would further submit that there is no previous case pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances and the submissions made by the learned counsel, 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 **learned Judicial Magistrate No.VI, Coimbatore** 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



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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.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[f] the petitioner shall not abscond either during investigation or trial;

[g] 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



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Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

[h] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

04.11.2022

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