



Crl.O.P.No.27538 of 2022

A.D.JAGADISH CHANDIRA,J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120 (b), 294(b), 447 and 506(1) of IPC in Crime No.639 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that, A5 was running an educational institute, where the defacto complainant was working and due to dispute with regard to such employment, the A5 had defamed the *de-facto* complainant and also sent some of the students (petitioners herein) in the academy to threaten the *de-facto* complainant. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and due to a dispute regarding non payment of salary, a false complaint has been lodged against him after a period of five months. He would further submit that co-accused had been granted anticipatory bail by this Court in Crl.O.P.No.24610 of 2022.



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

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4. The learned Government Advocate (Crl. Side) would submit that the *de-facto* complainant was previously working in the academy run by A5 and that there was a dispute regarding non-payment of salary and the accused/A5 have defamed the *de-facto* complainant and had also diverted their students (petitioners herein) and harassed the *de-facto* complainant. He further submitted that, apart from this case, there is no previous case pending against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail 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-II, Ambattur Court** 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 twice daily at 10.30 a.m. and 05.30.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 absconds, a fresh FIR can be registered under Section 229A IPC.

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