



Crl.O.P.No.28286 of 2022

Crl.O.P.No.28286 of 2022

A.D.JAGADISH CHANDIRA.J,

WEB COPY

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 353 of IPC in Crime No.133 of 2022, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant/Elango who is the Village Administrative Officer is that the petitioner abused him in filthy language and prevented him from discharging his official duty. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an agriculturalist and the defacto complainant was prolonging in issuance of patta and the same was questioned by the petitioner, a false complaint has been given against him. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the



CrI.O.P.No.28286 of 2022

respondent would submit that the petitioner abused the defacto complainant who is the Village Administrative Officer and prevented him from discharging his official duty. He would further submit that there is no previous case pending against him. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances and also of 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.I, Mannargudi**, 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



Crl.O.P.No.28286 of 2022

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 every day at 10.30 a.m for a period of one week and thereafter as and when required for interrogation.

[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]***; and;

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

17.11.2022



Crl.O.P.No.28286 of 2022

vk
WEB COPY

A.D.JAGADISH CHANDIRA.J.

vk

Crl.O.P.No.28286 of 2022

17.11.2022