



Crl.O.P.No.28330 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Section 506(ii) of IPC in Crime No.127 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are relatives. Due to money dispute, the petitioners have abused her and also intimidated her. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners and the defacto complainant are relatives and due to previous enmity, a false complaint has been given against them. He would further submit that the defacto complainant had demanded exorbitant interest from the petitioners, due to which, a case in Crime No.128 of 2022 for the offence under Sections 294(b), 323, 324 and 506(ii) of IPC and Section 4 of Tamil Nadu Prohibition of Charging Exorbitant Interest Act



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has been registered against the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that the petitioners and the defacto complainant are relatives. On account of money dispute, the petitioners have abused her and also intimidated her. He would further submit that there is no previous case pending against them. Hence he vehemently opposed for grant of anticipatory bail to the petitioners.

5.Taking into consideration the facts and submission of the learned counsel and it is a case and a case in counter, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Salem on condition that each of the



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petitioners 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 shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners shall report before the respondent Police daily at 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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



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petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;

22.11.2022

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