



Crl.O.P.No.28579 of 2022

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A.D.JAGADISH CHANDIRA,J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 353 of I.P.C, in Crime No. 482 of 2022, seek anticipatory bail.

2. The case of the prosecution is that, the defacto complainant is a Junior Bailiff at Cuddalore District. On 27.10.2022, when he had gone to Keezhazhinji pattu Village to serve summons, the accused had quarrelled with him and abused in filthy language and also prevented him from discharging his duties. Hence, the defacto complainant lodged a complaint before the respondent police.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that a civil suit is pending in O.S.No.150 of 2022 on the file of the learned Additional District Munsif Court, Cuddalore, for which, when the defacto complainant had gone to the petitioner's village to serves summons, he had not disclosed the fact that



he is a Junior Bailiff at the time of occurrence and during such time, there was a quarrel. Hence, he seeks for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that, petitioner had quarrelled with the defacto complainant and abused in filthy language and also prevented him from discharging his official duties. He would further submit that, apart from this case, there is no previous case pending against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case, 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.II, Cuddalore** 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 daily at 10.30 a.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



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himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

A.D.JAGADISH CHANDIRA,J.

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

21.11.2022

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