



Crl.O.P.No.30271 of 2022

Crl.O.P.No.30271 of 2021

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence under Sections 147,148 and 307 of IPC in Cr.No.145 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to the dispute pending between the defacto complainant and the petitioner, with regard to the complaint given by the defacto complainant's cousin brother, the petitioner along with other accused persons attempted to murder the defacto complainant. Hence the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution. He has been falsely implicated in this offence. Hence, he prays to grant anticipatory bail to the petitioner.

4.The **learned Government Advocate (Crl. side)** submits that the investigation almost completed. However, he opposed for granting



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anticipatory bail to the petitioner.

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5. Considering the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner and the Government Advocate (Crl. Side), the investigation almost completed. Hence this Court, is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on anticipatory 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, Salem*, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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(b)the petitioner shall report before the respondent police daily at 10.30

a.m. for a period of three months and thereafter, appear before the Trial Court on every hearing;

(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 anticipatory 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.

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