



CrI.O.P.No.32049 of 2022

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence under Sections 294(b), 323, 324 and 506 (ii) of IPC in Cr.No.774 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that when the petitioner went to the house of the defacto complainant for collection of emi amount, he assaulted the defacto complainant. Thereby, the defacto complainant lodged a complaint against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner was already granted anticipatory bail by this Court on 23.12.2021, but the same was not able to complied with due to defect in the name of the petitioner and hence this fresh anticipatory bail petition has been filed by the petitioner. He further submits that the petitioner has been falsely implicated in the complaint lodged by the defacto complainant. Hence, he prays to grant anticipatory bail to the petitioner.



4.The **learned Government Advocate (CrI. side)** submits that the petitioner assaulted the defacto complainant due to money dispute, which has been raised during the repayment of loan. Hence, he opposed for granting anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner, I am 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 of receipt of a copy of this order, before the learned **Judicial Magistrate I, Poonamallee**, 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



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their identity;

(b)the petitioner shall report before the respondent police every Saturday at 10.30 a.m. for a period of four weeks 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 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.

23.12.2022

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