



Crl.O.P.No.30528 of 2022

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T.V.THAMILSELVI,J.

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 352 and 506(ii) of IPC in Crime No.313 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioner along with other accused have abused him in filthy language and also assaulted him resulting in him sustaining injuries. Hence, the case.

3. The learned counsel for the petitioner would submit that he is an innocent person and due to previous enmity, a false complaint has been given against him. He would further submit that he has nothing to do with the alleged offence. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) would submit that the petitioner is a habitual offender against whom there are seven previous cases of similar in nature pending against him. He would also submit that the earlier anticipatory bail petition filed by the petitioner has been dismissed by this Court in Crl.O.P.No.28083 of 2022 dated 16.11.2022. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the submissions made by the learned Government Advocate (Crl.Side), 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 District Munsif-Cum-Judicial Magistrate, Vedaranyam, Nagapattinam District**, on condition that the petitioner shall execute a



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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, 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 every Saturday at 10.30 a.m. for a period of six (6) weeks;

[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]**;



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

13.12.2022

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