



CrI.O.P.No.30725 of 2022

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police in respect of the non-bailable warrant issued in C.C.No.03 of 2004 on the file of the learned Additional District Munsif cum Judicial Magistrate-II, Karaikal for the offences punishable under Sections 419 & 420 of IPC r/w 34 of IPC in Crime No.79 of 2003, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that the petitioner is an accused facing trial in C.C.No.03 of 2004 on the file of the learned Additional District Munsif cum Judicial Magistrate-II, Karaikal in Crime No.79 of 2003. He further submitted that the petitioner did not have the knowledge about the pendency of the case and the non bailable warrant pending against him. He also stated that the petitioner is prepared to comply with any stringent condition that may be imposed by this Court and ready to furnish sufficient sureties. He further submitted that the petitioner is ready to co-operate for speedy disposal of the trial. Therefore, he prays for grant of bail to the petitioner.



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3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner failed to appear before the Court and therefore, the Court has issued a NBW against him. Hence, he opposed to grant bail to the petitioner.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

5. Taking into consideration the facts and submissions of the case and the submissions made by the learned counsel, this Court is inclined to grant 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 **Additional District Muncif cum Judicial Magistrate-II, Karaikal, Puducherry**, 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



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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 appear before the learned trial Court on all hearing dates, without fail;

[c] the petitioner shall not tamper with evidence or witness during trial;

[d] the petitioners shall not abscond during trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the 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]**;



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

22.12.2022

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