



Crl.O.P.No.31637 of 2022

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 427, 324, 506(2) of IPC in Crime No.275 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that both the petitioner and the defacto complainant are brothers. On 08.12.2022, the petitioner entered the defacto complainant's business premises and assaulted his labour and damaged the lorries and also gave life threatening to him. Hence, the case.

3.The learned counsel for the petitioner would submit that due to family dispute, a false complaint has been given against him. He would further submit that it is a case and a case in counter. The learned counsel, on instructions, would further submit that the petitioner, without prejudice to his rights, is ready to deposit the amount of **Rs.20,000/-**



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(Rupees Twenty Thousand Only) to the credit of the crime number.

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Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) would submit that the petitioner is none other than the brother of the defacto complainant. Due to family dispute, the petitioner had went to the defacto complainant's business premises and attacked the labours and also damaged three lorries and even, he has also threatened the defacto complainant. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Taking into consideration 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**



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Judicial Magistrate No.2, Chengalpattu, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner shall deposit a sum of **Rs.20,000/- (Rupees Twenty Thousand Only)** to the credit of the crime number within a period of two weeks from the date on which the order copy made ready, before the **learned Judicial Magistrate No.2, Chengalpattu** and on such deposit, the defacto complainant is permitted to withdraw the said deposit amount on proper identification and acknowledgment;

[b] 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;

[c] the petitioner shall report before the respondent Police as and when required for interrogation;



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[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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]**;

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

22.12.2022

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