



Crl.O.P.No.32159 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), 353 & 506(i) of IPC, in Crime No.56 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to the previous enmity on account of the dismissal of the petitioner from his gardener job by the de-facto complainant, the petitioner created a ruckus with the de-facto complainant and abused him in a filthy language and also prevented the police official from discharging their official duty. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and due to the previous enmity, a false complaint has been given against him. He also submitted that the petitioner is no way connected with the alleged offence and he is ready to abide by any stringent conditions



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that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner, due to the previous enmity, abused the de-facto complainant and also prevented the officials from discharging his official duty. He also submitted that the major part of the investigation is over. However, he opposed to grant bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner and also considering the fact that the major part of the investigation is over, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. 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 **IX Metropolitan Magistrate, Saidapet, Chennai**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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, on every Tuesday and Sunday at 10.30 a.m., for a period of eight 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;



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[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]**;

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

23.12.2022

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