

Crl.O.P.No.32500 of 2022

WEB COPY **A.A.NAKKIRAN J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 506(ii) of of IPC in Crime.No.405 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 24.08.2022 one Ranjith parked his two wheeler in a public place and and when the petitioner came there to park his car there was some inconvenience in parking his vehicle and the defacto complainant intervened to solve the issue, due to which the petitioner abused the defacto complainant with unparliamentary language. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any such offence as alleged by the prosecution and has been falsely implicated in this case. Hence he prays to grant anticipatory bail the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the petitioner abused the defacto complainant with filthy language and when he intervened to solve the issue between the petitioner and one Ranith the



petitioner attempted to attack the defacto complainant. He further submits that there is no previous case pending pending against the petitioner.

Hence, he vehemently opposed to grant 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 **and also considering the fact that there is no bad antecedents against the petitioner**, this Court is 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 Court, Cheyyar** 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 their identity;

(b) **the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;**



(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.

28.12.2022

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