



Crl.O.P.No.1225 of 2023

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T.V.THAMILSELVI, J.

The petitioner who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 323 and 506(i) of IPC in Crime No.192 of 2021, seek anticipatory bail.

2. The case of the prosecution is that the petitioner had sold adulterated milk to the de-facto complainant and the same was questioned by the de-facto complainant's husband, the petitioner had abused the de-facto complainant's husband and assaulted him with hands and caused injuries. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that he has nothing to do with the alleged offence. He would further submit that the petitioner was already granted anticipatory bail by this Court vide Crl.O.P.No.17819 of 2021 dated 24.09.2021. However, he could not execute the sureties within the stipulated time due to his



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health condition. Hence, again the petitioner has filed the petition before this Court.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that there is no previous case pending as against the petitioner. However, he vehemently opposed for grant of anticipatory 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 materials available on record.

6. Considering the fact that there is no previous case pending as against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.



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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 Judicial Magistrate No.I, Vellore District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties 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 his 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 Thursday at 10.30 a.m., for the period of four 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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

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