



Crl.O.P.No.375 of 2023

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 397 of IPC in Crime No.485 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused attempts to cause death in order to extort money from the defacto complainant. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that he has nothing to do with the alleged offence and without prejudice, the petitioner is ready and willing to deposit a sum of Rs.5,000/- to the credit of Crime No.485 of 2022. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (crl.side) appearing for the respondent would submit that the petitioner along with other accused



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attempted to cause death in order to demand mamool from the defacto complainant. He would further submit that there is one previous case pending against him. However, he opposed for grant of anticipatory bail to the petitioner.

5.Taking into consideration the facts of the case and the submissions made by the learned counsel for the petitioner and also of the fact that the petitioner is ready to deposit a sum of Rs.5,000/- to the credit of Crime No.485 of 2022, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is directed to **deposit a sum of Rs.5,000/- (Rupees Five Thousand Only) to the credit of Crime No.485 of 2022** and on such deposit and receipt of proof of payment, 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.II,



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Tiruppur, 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 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 deposit a sum of Rs.5,000/- (Rupees Five Thousand only) each to the credit of Crime No.485 of 2022, before the concerned Magistrate, at the time of furnishing sureties and the learned trial Judge shall disburse the amount to the defacto complainant.

[c] the petitioner shall stay at Tiruvannamalai and report before the Tiruvannamalai Town Police Station daily at 10.30 a.m., for a period of two months;



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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;

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