



CrI.O.P.No.980 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 379 and 430 of IPC in Cr.No.4 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.Heard both sides

3.It is submitted that under the pretext of enquiry for the alleged offence under Sections 379 and 430 of IPC, on a complaint be lodged by the defacto complainant, the police are harassing the petitioner. According to the counsel for the petitioner the complaint is concocted one and that there is absolutely no truth in the complaint and that the petitioner is an innocent person. He also submitted that the defacto complainant has preferred a false and fabricated complaint against the petitioner and he seeks for anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl.side) would submit that this case was registered under Sections 379 and 430 of IPC. He further submitted that the investigation is still pending. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner.

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 of receipt of a copy of this order, before the learned **Judicial Magistrate-IV Vellore**, 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 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;



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(b) the petitioner shall report before the respondent police on every Saturday at 10.30 a.m for a period of one month and thereafter, as and when required for interrogation;

(c) 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;

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

12.01.2023

vsn



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