



Crl.O.P.No.900 of 2023

WEB COPY

Crl.O.P.No.900 of 2023

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 294(b), 385, 448, 506(part 1) of IPC in Crime No.8 of 2023, seeks anticipatory bail.

2.Heard both sides.

3. On perusal of the records reveals that the legal notice was given by this petitioner on 20.09.2022 and subsequently, two suits were filed by this petitioner against the defacto complainant and his wife before the learned Sub Ordinate Judge, Arakkonam on 05.12.2022. The suit summons were issued in those suits on 13.12.2022. After the receipt of the suit summons, the defacto complainant had lodged a complaint. In fact this petitioner has also given complaint as against the defacto complainant in C.S.R.No.17 of 2023 on 04.01.2023. However, the present FIR is registered by the respondent police against this petitioner



Crl.O.P.No.900 of 2023

WEB COPY

on 07.01.2023. The cursory perusal reveals that there exists the civil dispute between the parties and that parties are already before the Civil Court. Hence, no useful purpose shall be served in proceedings with this Criminal complaint. Accordingly, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

4. Accordingly, the petitioner is directed to deposit a sum of **Rs.1,00,000/- (Rupees One Lakh Only) to the credit of Crime No. 8 of 2023 within a period of two weeks from the date on which the order copy made ready**, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned **Judicial Magistrate, Arakonam** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties **out of which one surety will be a blood related surety** 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



Crl.O.P.No.900 of 2023

WEB COPY

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.1,00,000/- (Rupees One Lakh Only) to the credit of Crime No.8 of 2023 within a period of two weeks** from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] **the petitioner shall appear before the respondent police on every Tuesday and Saturday at 10.30 a.m., for a period of twelve weeks and thereafter, as and when required for interrogation.**

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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.**

T.V.THAMILSELVI, J.



Crl.O.P.No.900 of 2023

WEB COPY

vsn

State of Kerala [(2005)AIR SCW 5560].

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

12.01.2023

vsn

Crl.O.P.No.900 of 2023