

CrI.O.P.No.2967 of 2023

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence under Sections 447, 189, 332, 353, 294(b), 506(ii) of IPC in Cr.No.397 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner went to the Directorate of Enforcement, Government of India, Greaves Road, Chennai claiming himself to represent Mr.J Zakir Hussain whose residential premise was searched by the officers of Enforcement in a foreign exchange violation case regulation. When the Zakir Hussain was requested to ask his client to appear before the Investigation Officer, he threatened Shri Rama Gopala Reddy.k, IRS, Deputy Director of Enforcement with dire consequences. Hence, the complaint.

3. The learned Counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and a false case has been foisted against them. Hence, he prays for grant of anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl. side) submits that the petitioner went to the Directorate of Enforcement, Government of India, Greams Road, Chennai and threatened Shri Rama Gopala Reddy.K, IRS, Deputy Director of Enforcement with dire consequences. He further stated that there is no previous case against this petitioner. Hence, he opposed for granting anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, there is no previous case against the petitioner and the stage of investigation, 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 **XIV Metropolitan Magistrate, Egmore**, 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:

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(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 every Sunday at 10.30 a.m. for a period of six weeks;

(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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on

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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.

14.02.2023

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