



Crl.O.P.No.5654 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 323 and 387 of IPC, in Crime No.114 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 13.02.2023, the defacto complainant/Rithish went to school for sports event. At that time, the petitioner and other accused have abused the defacto complainant with filthy language and attempted to snatch money from him. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and they belongs to two different political party. He would further submitted that the defacto complainant's father has assaulted the petitioner and a complaint has been given by the petitioner in Crime No.133 of 2023 and a case has been registered against



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the father of the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that this is a case and case in counter. A counter case has been registered against the father of the defacto complainant in Crime No.133 of 2023. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the above facts and circumstances of the case and also the submissions made on both sides, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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**



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Judicial Magistrate II, Coimbatore on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 his Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police every day at 10.30 a.m. until further orders.

[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 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.**



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

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

13.03.2023

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