



Crl.O.P.No.6250 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 170 and 419 of IPC in Crime No.104 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant/K.Aiyyanar who was running a snacks shop and the accused had came to his shop and introduced himself as they are from the officials of the health department and threatened him and taken away a sum of Rs.33,000/-. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that due to a financial dispute between the petitioners and the defacto complainant, on 02.03.2023, the petitioners had taken an amount of Rs.33,000/- from him. However, due to intervention of the common friends, the matter has been settled and an amount of Rs.33,000/- has also been repaid to the defacto complainant



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and he has also agreed to compromise the matter, whereas, the complaint has been registered on the next day. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioners had introduced themselves as an officers from the health department and had threatened the defacto complainant and taken a sum of Rs.33,000/- from him. He would further submit that the investigation is still pending. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.Taking into consideration the facts and submissions of the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions;

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of



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fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court II, Alandur, on condition that the petitioners shall execute a separate 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 petitioners 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 petitioners shall report before the respondent police at 10.30 a.m., for a period of two weeks and thereafter every saturday at 10.30 a.m., until further orders;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;



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[d] the petitioners 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 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]**;

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

24.03.2023

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