



Crl.O.P.No.7981 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 353 and 506(i) of IPC in Crime No.127 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Selvi, who is a Grade – I Police Officer of the All Women Police Station, Namakkal, is that on 23.03.2023, a newly married couple entered into the police station for seeking protection, at that time, the relatives of the married couple tried to attack them and the same was prevented by the officers in charge of the police station, for which, the petitioner used filthy language against the officers in charge of the police station and further prevented them from discharging their public duty. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submit that the brother's daughter got eloped with one Varadharaj



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and the petitioner who was not aware of the same had given the complaint to the police, during such time, there was a quarrel and a false complaint has been given against him. He further submit that only in an agitated mood, the petitioner has quarrelled with the defacto complainant. Hence, he prays for grant of anticipatory bail to the petitioner .

4. The learned Government Advocate (Criminal Side) would submit that a newly married couple entered into the police station for seeking protection, at that time, the relatives of the married couple threatened and abused the officers in charge of the police station. He further submits that the petitioner has no previous case pending against him. Hence, he vehemently opposed to grant anticipatory bail to the petitioner .

5.Heard the learned counsel on either sides and perused the entire materials available on record.

6.Taking into consideration the facts and circumstances of the case and the submissions made on both sides and also taking note of the fact that the petitioner has no previous case pending against him, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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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 Judicial Magistrate No.I Namakkal**, 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 their Aadhar card or Bank pass Book to ensure their identity.

[b] **the petitioner shall stay at Chennai and report before the F1 Chintadripet Police Station, everyday 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.



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

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

17.04.2023

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The Criminal Original Petition is listed today under the caption “for being mentioned”.

2. It is submitted by the learned counsel for the petitioner that this Court, has granted anticipatory bail to the petitioner vide order dated 17.04.2023, however, in the condition 7[b] of order copy, the period as directed to stay at Chennai and report before the F1 Chintadripet Police Station is mentioned as until further orders instead of two weeks and thus prayed for indulgence.

3. Therefore, it is hereby clarified and the 7[b] of the order shall be read as follows.



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[b] the petitioner shall stay at Chennai and report before the Inspector of Police, F1 Chintadripet Police Station, everyday at 10.30 a.m., for a period of two weeks and thereafter, report before the respondent Police, everyday at 10.30a.m., until further orders.

It is made clear that the rest of the order shall remains unaltered.

28.04.2023

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Note : Registry is directed to issue a fresh order copy.

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