



Crl.O.P.No.9639 of 2023

Crl.O.P.No.9639 of 2023

K.KUMARESH BABU, J.

WEB COPY

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b) and 506(ii) of I.P.C in Crime No.206 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a dispute between the petitioner and the defacto complainant regarding temple construction, due to which the petitioner abused the defacto complainant with filthy language and threatened him with dire consequence. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and a false case has been foisted against him for statistical purpose. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that there was a dispute between the



Crl.O.P.No.9639 of 2023

petitioner and the defacto complainant regarding temple construction, due to which the petitioner abused the defacto complainant with filthy language and threatened him with dire consequence. He further submitted that no injuries have been caused against the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case and also considering the fact that no injuries have been caused, 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 Judicial Magistrate No.I, Kallakurichi and Kallakurichi District**, on condition that the petitioner shall execute bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with **two sureties** each for a like sum to the



CrI.O.P.No.9639 of 2023

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 shall 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 Monday and Friday at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation.

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



Crl.O.P.No.9639 of 2023

K.KUMARESH BABU, J.

nti/nr

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

17.05.2023

nti/nr

Crl.O.P.No.9639 of 2023