



WEB COPY



Crl.O.P.No.10126 of 2023

Crl.O.P.No.10126 of 2023

S.SOUNTHAR, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 354, 427 and 506(ii) IPC, in Crime No.103 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused had misbehaved the defacto complainant with ulterior motive. When the same was questioned by the defacto complainant's husband, the petitioner along with other accused abused them with filthy language and caused injuries with hand. Further, the petitioner threatened them with dire consequences. Hence, the case.

3. The learned counsel for the petitioner submitted that due to petty quarrel between the petitioner and the defacto complainant and her husband, a false case has been foisted against him for statistical purpose.



Crl.O.P.No.10126 of 2023

He further submitted that on 04.03.2019 the Principal District Court, Vellore, has granted anticipatory bail to the first accused in Crl.M.P.No.1052 of 2019. Hence, he prayed for grant of anticipatory bail to the petitioner herein.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the injured has been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioner.

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

6. Having regard to the facts of the case and the nature of the allegation made against the petitioner and also of the fact that the injured have been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



Crl.O.P.No.10126 of 2023

WEB COPY

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 -I, Vellore**, on condition that the petitioner shall execute bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with **two sureties** 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 Tiruchirappalli and report before the Chathiram Police Station, Tiruchirappalli, once in a week 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.



WEB COPY



Crl.O.P.No.10126 of 2023

[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].

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

nti/Dna

05.05.2023



WEB COPY



Crl.O.P.No.10126 of 2023

S.SOUNTHAR, J.,

nti/Dna

Crl.O.P.No.10126 of 2023

05.05.2023