



Crl.O.P.No.9409 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 alleged offences punishable under Sections 471, 473, 476, 384 of IPC in Crime No. 67 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Malathi, is that the accused under the guise of social work has been harassing the defacto complainant and also the other officials of the Panchayat and he has been preventing them from doing the panchayat contract work and they have also demanding money from them. Hence, the case.

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 would further submit that the petitioner is a social worker and he has been questioning the illegality committed by the Panchayat President, the defacto complainant herein and other officials of the Panchayat, thereby a false complaint has been given against him due to



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political influence. He further submitted that the first accused Raja in this case has been arrested and enlarged on bail by the Judicial Magistrate No.I, Pollachi, in [Crl.MP.No.1744](#) of 2023 dated 27.04.2023. He would further submit that the petitioner has no previous case pending against him and he has been implicated only based on the confession recorded from the said Raja. Hence, he prayed to grant anticipatory bail to the petitioner .

4. The learned Government Advocate (Crl. Side) would submit that the accused under the guise of social work has been harassing the defacto complainant and also the other officials by preventing them from doing the panchayat work and he also also demanded money from them. He further submitted that the petitioner has no previous case pending against him. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and learned Government Advocate (Crl. Side) and perused the materials available on record.



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6. Taking into consideration the 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 Judicial Magistrate No.2, Pollachi**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten 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 report before the respondent Police Station, everyday at 10.30 a.m., until further orders.



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[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]**.

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

05.06.2023

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