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CrI.O.P.No.9595 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 147, 148, 341, 294(b), 506(ii) of I.P.C. r/w Sec.25(1B)(a) of Arms Act in Crime No.216 of 2022 on the file of respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused said to have trespassed into the house of defacto complainant and threatened him with deadly weapons. Hence, the present complaint filed against the petitioner.

3. The learned counsel for the petitioner would submit that his name is not found in the F.I.R. and he is an innocent person and he has not committed any offence as alleged by the prosecution and he is no way connected with the said offence. He would also submit that this is the second petition praying for anticipatory bail and he is ready to comply with



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any condition imposed by this court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that the petitioner is arrayed as A4 and there 16 previous cases pending against him. He would submit that on the date of occurrence, he along with other accused trespassed into the house of defacto complainant, abused him and also threatened him with dire consequences. He would further submit that if the anticipatory bail is granted, he may tamper the evidence and hamper the investigation. He would submit that now the investigation is almost completed. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and also the fact that the investigation was almost completed and considering the change of circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. 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, Sriperumbudur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each, in which, **one surety must be a blood surety**, 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 on every Wednesday at 10.30 a.m. for the period of three months.



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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.

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