



Crl.O.P.No.15409 of 2023

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G.CHANDRASEKHARAN. J.

The petitioners who apprehends arrest at the hands of the respondent police for the alleged offence under Section 294 (b) and 506 (i) IPC, in Crime No.654 of 2019, on the file of the respondent police, seek anticipatory bail.

2. Learned counsel for the petitioners submitted that petitioners are innocent and they have been falsely implicated in this case. Thus, he prayed for anticipatory bail for the petitioners.

3. In response, the learned Government Advocate (Crl.Side) opposed this petition and submitted that the complaint given by the defacto complainant under Section 156 (3) Cr.P.C. was forwarded to the respondent police and FIR was registered in Crime No.654 of 2019. The allegation is that defacto complainant is an Advocate and he was appearing for the opposite party of the petitioners. Therefore, petitioners had spoken ill of the defacto complainant and made criminal intimidation against him.



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4.Considering that the FIR was registered on 23.12.2019 and the nature of the allegations made against the petitioners, this Court is of the view that custodial interrogation of the petitioners is not necessary and this Court is inclined to grant anticipatory bail to the petitioners. Therefore, petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned XXIII Metropolitan Magistrate, Saidapet, Chennai**, on condition that petitioners shall execute separate 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 petitioners 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.



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[b] the petitioners shall report before the respondent police everyday at 10.30 a.m. until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners 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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