



Crl.O.P.No.10360 of 2023

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K.KUMARESH BABU, J.

The petitioners who apprehend arrest at the hands of the respondent Police for the alleged offence punishable under Sections 294(b), 354, 406 and 506(i) of I.P.C in Crime No.407 of 2023, seek anticipatory bail.

2. The case of the prosecution is that de-facto complainant viz., Saranya was working as a sales girl in a shop. The petitioners herein and one R.Chantheran have borrowed money from the de-facto complainant and cheated her. That apart, the petitioners have threatened the de-facto complainant in order to support the said Chantheran. Hence, the de-facto complainant lodged a complaint against the petitioners and said Chantheran on 26.11.2022. The respondent Police took the complaint of de-facto complainant and registered a case in Crime No.407 of 2023. The said Chantheran has been arrayed as Accused No.1 and petitioners have been arrayed as Accused Nos.2 & 3. Aggrieved over the same, the petitioners have filed the present petition.



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3. The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated as accused in this case. He would further submit that there is a civil dispute between the de-facto complainant and the said Chantheran/Accused No.1. The petitioners are no way connected to this case. Hence, the learned counsel prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (CrI.Side) appearing for the respondent Police would submit that already the petitioners herein and the said Chantheran filed a bail petition in Cr.M.P.No.846 of 2023, however, the learned Principle Sessions Judge, Tiruppur has dismissed the said petition on 25.04.2023. So, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate Court, Palladam, Tiruppur District, on condition that the petitioners 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 conditions that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police, weekly twice i.e., on Tuesday and Thursday at 10.30 a.m & 5.30 p.m until further orders.



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[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 petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in the case of ***P.K.Shaji Vs. State of Kerala*** reported in ***(2005) AIR SCW 5560***.

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

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