



Crl.O.P.No.11971 of 2023

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**V.LAKSHMINARAYANAN, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294 (b), 341 and 506(ii) of I.P.C., in Crime No.94 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 06.05.2023 at about 12.00 p.m., when the defacto complainant was proceeding towards the Elite Estate and land promoters office, the petitioner, who is an adjacent shop owner, in a rude manner shouted to part his vehicle in the said place. The defacto complainant explained to the petitioner that he will take the vehicle after 10 minutes, but he threatened him that he will damage the car and also abused with filthy language. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent person and he has been falsely implicated in this case. He would submit that the petitioner is ready to cooperate with the



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investigation and also abide by any condition imposed by this court. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent raised objection stating that the petitioner threatened the defacto complainant that he will damage the car. He would further submit if he is granted anticipatory bail, he will tamper the witnesses and hamper the investigation. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

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

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



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Magistrate No.I, Alandur, 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 appear before the respondent police everyday at 10.30 a.m. for the period of four weeks and thereafter, as and when required for the investigation.**

[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



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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.

**26.05.2023**

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**26.05.2023**