



Crl.O.P.No.12814 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 342, 506(i) of IPC in Crime No.203 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that he is running a medical shop. He had borrowed a sum of Rs.15,00,000/- from the first accused for his business and he had paid the borrowed amount with interest. However, the accused had demanded more interest and had threatened him. Further, he had trespassed into the medical shop and caused damage to his furniture and also taken away a sum of Rs.25,000/- . Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent. He would further submit that the defacto complainant borrowed money from them and later refused to pay the



Crl.O.P.No.12814 of 2023

WEB COPY

amount and when they demanded money he had given a false complaint as if the petitioners have caused damage to the medical shop. He would further submit that the petitioners are ready to abide by any stringent condition that may be imposed by this Court and without prejudice to their rights and contentions are ready and willing to deposit Rs.20,000/- each to the credit of Crime Number 203 of 2023 as may be directed by this Court. Thereby, he would seek anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the defacto complainant is running a medical shop. He had borrowed a sum of Rs.15,00,000/- from the first accused for his business and he had paid the entire amount with interest. However, the accused had demanded more interest and had threatened him. He also trespassed into the medical shop and caused damage to his furniture and also taken away a sum of Rs.25,000/- . Hence, he would vehemently oppose to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.



CrI.O.P.No.12814 of 2023

WEB COPY

6. Taking into consideration the facts of the case and the submissions of the learned Counsel for the parties and also taking note of the fact that the petitioners without prejudice to their rights are ready and willing to deposit Rs.20,000/- each to the credit of Crime Number 203 of 2023, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) each to the credit of Cr.No.203 of 2023 and on such deposit and production of proof, 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 made ready, before the **learned District Munsif-Cum-Judicial Magistrate, Arcot** on condition that each of the petitioners shall execute separate bonds 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



CrI.O.P.No.12814 of 2023

WEB COPY

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.

[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



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CrI.O.P.No.12814 of 2023

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 **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;

Vv

13.06.2023

A.D.JAGADISH CHANDIRA, J.

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5/6



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Crl.O.P.No.12814 of 2023

Crl.O.P.No.12814 of 2023

13.06.2023