



Crl.OP.No.13231 of 2023

A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Section 447, 427, 323 and 506(ii) of IPC in Crime No.0055 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioner has abused, assaulted and also outraged the modesty of the defacto complainant. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and due to a family dispute, a false complaint has been given. He would further submit that the petitioner is ready to abide by any stringent conditions that may be imposed on him and thereby he would seek anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the due to previous enmity, the petitioner has abused, assaulted and also outraged the modesty of the defacto complainant. Hence, he would vehemently oppose to grant anticipatory bail to the petitioners.



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

6. Taking in to consideration the facts and the circumstances of the case and also the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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-II, Karaikal District* 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/trial Court may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] **the petitioner shall stay at Puducherry and report before the Inspector of police, Grand Bazaar Police Station, Puducherry every day at 10.30 a.m., until further orders;**



[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] 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, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

[f] if the petitioner herein thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Vv

20.06.2023



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