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Crl.O.P.No.15321 of 2023

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G.CHANDRASEKHARAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 435, 506(2) of IPC in Crime No.354 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. When the matter is taken up today, Mrs.Muthulakshmi, Inspector of Police is present. She submitted that since it is not a case involving accident of vehicle, service of Motor Vehicles Inspector to assess the nature of the damage and value of the damage was not sought for. However, the value of the damages caused to the vehicles were assessed by private concerns Viz., Anna Sathya Engineering Works & Anna Sathya Service Station and Ramesh Auto Works. As per their report given, the damages caused to the tractor and bike comes to around Rs.3000/- and Rs.2000/-, respectively.

3. Considering the nature of the allegations made in the First Information Report that vehicles were set fire in connection with previous



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enmity in a money dispute, that the damaged vehicles has been seized, this Court is of the view that, petitioner may be granted anticipatory bail with conditions.

4. 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, Nannilam, Thiruvarur District**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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.



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[b] the petitioner without prejudice to his defence shall deposit a sum of Rs.10,000/-(Rupees Ten Thousand only), to the credit of the Crime No.354 of 2023 before the learned Judicial Magistrate, Nannilam, Thiruvarur District. On such deposit, learned Magistrate is directed to use the amount for awarding victim compensation under Section 357 of Cr.P.C; Payment of this amount will not amount to admission of guilt of the petitioner.

[c] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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 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].



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

01.08.2023

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