



Crl.O.P.No.16642 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 341, 294 (b), 353, 352 & 506 (1) IPC, in Crime No.149 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that petitioner is falsely implicated in Crime No.149 of 2023, for the alleged offence under Sections 341, 294 (b), 353, 352 & 506 (1) IPC. Thus, he prays for anticipatory bail for the petitioner.

3. In response, the learned Government Advocate (Crl.Side) submitted that defacto complainant was a Government driver in a bus bearing No. TN 68 N 0576. When he was driving the bus on 06.07.2023, at about 4.30 p.m., accused overtook and stopped his two wheeler in front of the bus and asked defacto complainant why he loaded so many persons in the bus and that persons are travelling in foot board. When the defacto complainant asked him to talk with respect, accused



Crl.O.P.No.16642 of 2023

started to scold him in filthy language and made criminal intimidation.

4.Considering the nature of the allegations made in the FIR and that defacto complainant did not suffer any injury and that material part of the investigation is over, this Court is of the view that custodial interrogation of the petitioner is not necessary and this Court is inclined to grant anticipatory bail to the petitioner. Therefore, 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, Seerkazhi**, 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:



Crl.O.P.No.16642 of 2023

[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 report before the respondent police everyday 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] 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].



Crl.O.P.No.16642 of 2023

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

31.07.2023

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Crl.O.P.No.16642 of 2023

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sli

Crl.O.P.No.16642 of 2023

31.07.2023