



Crl.O.P.No.21598 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners herein seek anticipatory bail in Crime No.568 of 2023 registered by the respondent Police for the offence under Sections 294(a), 353, 506(i) of IPC.

2. The learned counsel for the petitioners stated that, they have been falsely implicated in this case. Apprehending arrest from the respondent police, he seeks bail to the petitioners.

3. It is stated by the learned Government Advocate (Criminal side) that, 1st petitioner had already been arrested by the respondent police during pendency of this petition. It is stated that the petitioners went over to a Tasmac Shop. It is claimed that the first petitioner is the landlord of the place, where the Tasmac shop is running at Kattivakkam, Ennore. They had purchased alcohol on 22.08.2023 and refused to pay. Thereafter, owing to the escalation of quarrel, the complaint came to be lodged. Thus, he prays for dismissal of this petition.



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4. In view of the submission of the learned Government Advocate (Criminal side) that 1st petitioner was already been arrested and granted bail, this petition is dismissed as against the 1st petitioner. In view of the circumstances stated, Anticipatory Bail is granted to the second petitioner with conditions.

5. Accordingly, the 2nd 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, Thiruvottiyur**, on condition that the 2nd 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 2nd 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 2nd petitioner may deposit a sum of Rs.5000/- to the credit of the Crime No.568 of 2023. On such deposit, the learned Magistrate may hand over the same to the defacto complainant. If such deposit is not made, this petition automatically stands cancelled.

[c] the 2nd petitioner shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter as and when required;

[d] the 2nd petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the 2nd 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 2nd petitioner in accordance with law as if the conditions have been imposed and the 2nd 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;

12.10.2023

spp/gd

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