



Crl.O.P.No.32214 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who apprehend arrest for the alleged offence under Sections 143, 427, 352, 379 IPC in Cr.No.191 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on the date of occurrence at about 11.30 hours the petitioner along with some unknown persons were trespassed the defacto complainant's house, assaulted him and took away the tractor belonging to the defacto complainant. The unknown persons snatched 20 sovereign gold bangles of the defacto complainant's wife and had stolen the cheque leaf while escaping from the place of occurrence. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and the defacto complainant's wife gold bangles were snatched by unknown persons. He further submitted that the wordy quarrel arose between the



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petitioner and the defacto complainant and the tractor is not missing in this case. He further submitted that it is a case in counter. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) would submit that there is no previous case as against the petitioner. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the fact and circumstances, this Court is inclined to grant anticipatory bail to the petitioner.

6.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 of receipt of a copy of this order, before the learned **Judicial Magistrate, Court No-II, Nagappattinam**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each**, with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to



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arrest or to the satisfaction of the learned Magistrate concerned 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 Court concerned 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 **every Monday and Saturday at 10.30 a.m. for a period of six weeks and thereafter, as and when required for interrogation;**

(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 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]***; and;



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vsn

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

02.01.2023

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