



Crl.O.P.No.27459 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner in Crime No.425 of 2023, registered under Sections 341, 353, 294(b), 427, 384 and 506(i) IPC, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent.

3. The petitioner is a Head Constable. The de facto complainant is a Bus Conductor. It is stated that the petitioner herein had restrained the de facto complainant when he was travelling in a motorbike and demanded money. The learned counsel for the petitioner stated that the petitioner suffers from depression and had also taken treatment. This fact is also confirmed by the learned Government Advocate (Crl.side), who stated that the petitioner had been admitted to a home for a period of two months. Taking all the factors into consideration, anticipatory bail is granted.

4. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner is ordered to be released on bail in the



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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 Judicial Magistrate No.I, Madurantakam**, 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 may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner **to appear before the respondent once a week at 10.30 am., for a period of two 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



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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]**.

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

07.12.2023

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