



Crl.O.P.No.8651 of 2024

Crl.O.P.No.8651 of 2024

T.V.THAMILSELVI, J.

WEB COPY

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 294(b) and 506(i) of I.P.C, Section 67 of Information Technology (Amendment) Act, 2008 in Crime No.257 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that petitioner had contacted the defacto complainant through phone and abused him in a filthy language and also threatened him that he will set fire on defacto complainant's house and car when he posted a text on whatsapp group about M.P of Arakonam Ward for not being coming to his town for the past five years. Hence, a case has been registered.

3. The learned counsel appearing for the petitioner submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submit that petitioner belonged to a political party and on seeing the message in the whatsapp group, he abused and threatened the defacto



CrI.O.P.No.8651 of 2024

complainant. He would submit that investigation has been completed. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance before the **learned Judicial Magistrate Court, Pallipattu, Thiruvallur** 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



CrI.O.P.No.8651 of 2024

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 is directed to report before the respondent police on every Saturday at 10.30 a.m., for a period of two months 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 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]**;

T.V.THAMILSELVI, J.



Crl.O.P.No.8651 of 2024

nr

WEB COPY

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

12.04.2024

nr

Crl.O.P.No. 8651 of 2024