



Crl.O.P.No.11426 of 2024

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K.KUMARESH BABU, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 294(b) and 506(2) of I.P.C., in Crime No.72 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is running a chit fund company and the petitioner is a member of the same and is paying the monthly chit amount. However, the petitioner defaulted in paying monthly installments. When the defacto complainant approached the petitioner to pay the amount, he threatened the defacto complainant with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the



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respondent police vehemently opposed for grant of anticipatory bail to the petitioner stating that the petitioner is a history sheeter and there are three cases registered as against the petitioner.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration the above facts and circumstances of the case and the submissions of both sides, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is directed to deposit a sum of **Rs.50,000/- (Rupees Fifty Thousand Only) to the credit of Crime No.72 of 2024** and on such deposit, 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-I, Mettur, Salem** 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



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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 shall report before the respondent police daily at 10.30 a.m., until further orders.

[c] the final order in respect of the said deposit, shall be passed by trial Court, at the time of conclusion of trial;

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

[e] the 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 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]; and;



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[g] if the accused thereafter absconds, a fresh FIR
can be registered under Section 229-A IPC.

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