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Crl.O.P.No.10458 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 420 and 506(i) of IPC in Crime No.58 of 2023, seeks anticipatory bail.

2.It is stated that the 1st accused had received a sum of Rs.24,80,000/- from the defacto complainant promising Government job. It must also be mentioned that the 1st accused is himself a Government servant. However, the 1st accused had been granted bail by the learned Judicial Magistrate (FAC), Uthangarai in Crl.M.P.No.1438 of 2023 dated 11.04.2023.

3.A counter affidavit had been filed stating that this petitioner had appeared on notice being issued under Section 41(A) Cr.P.C., and had handed over a sum of Rs.50,000/- and had given an undertaking to settle the remaining amount. That was on 08.03.2023. Subsequently, the 1st accused had been granted bail.



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4.Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner and with certain conditions:

5.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 on which the order copy made ready, before the learned Judicial Magistrate, Uthangarai, 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.



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[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., 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 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.

21.02.2024

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