



Crl.O.P.No26693 of 2024

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P.DHANABAL,J.

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b) and 506(i) of IPC,1860 r/w 67 of Information Technology Act,2000 in Crime No.117 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had borrowed a loan of Rs.12,00,000/- for his person needs from the defacto complainant, but, he has not returned the money to the defacto complainant. When the defacto complainant asked him to return the money, the petitioner had refused to return the same, abused the defacto complainant and his family members in filthy language and also threatened him with dire consequence. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He further states that the petitioner is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays



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to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent submits that the petitioner has borrowed a loan from the defacto complainant for a sum of Rs.12,00,000/-, but the same was not returned by him. When the defacto complainant demanded money, the petitioner has refused to return the same and abused him and his family members and also criminally intimidated him. He further submits that the petitioner is having seven previous cases. Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (CrI.Side) and perused the materials available on record.

6. Considering the nature of allegations levelled against the petitioner, though there is seven previous cases against the petitioner, in all cases, bail was granted to him and considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

7. 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



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date on which the order copy made ready, before the learned ***District Munsif-Cum-Judicial Magistrate Court, Neyveli*** 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the Inspector of Police, Kattumannar Koil Police Station, Kattumannar Koil everyday at 10.30 a.m., until further orders.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

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Vv

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