

Crl.O.P.No.23691 of 2016**R.MALA,J.**

The petitioners are arrayed as A2 and A4 and they were arrested and remanded to judicial custody on 06.09.2016 and 03.09.2016 respectively for the alleged offence punishable under Sections 505(c) of IPC r/w Section 34 of IPC and Section 3 of the Police Incitement of Disaffection Act, 1922 in Crime No.107 of 2016, on the file of the respondent police and hence, pray for enlargement on bail.

2.Learned counsel for the petitioners would submit that the petitioners are nothing to do with the alleged offence and they have been falsely implicated in this case. He would further submit that there is no specific overt act as against these petitioners and hence, he prays for enlargement on bail.

3.Learned Government Advocate (Pondicherry) would submit that the 1st petitioner is arrayed as A.2 and he has printed the invitations and thereby damaged the image of the police department. The 2nd petitioner is arrayed as A.4 and he has harbored the other criminals. He would further submit that the investigation is going on and A.3 is yet to be arrested and hence, he prays for dismissal of the petition.

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4. Considering the rival submissions made by both sides and upon perusal of the case diary it is found that case has been registered on 03.09.2016 and on that itself A.4/2nd petitioner has been arrested and A.2 has been arrested on 06.09.2016. Taking into consideration of the fact that interrogation is over and investigation is considerably over, I am inclined to grant bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail on executing a separate 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 Judicial Magistrate No.II, Pondicherry and on further condition that the petitioners shall report before the Court concerned daily at 10.30 a.m. until further orders. **The petitioners are also directed not to publish any pamphlet abusing the police and other officials.**

25.10.2016

ssd

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