



it is alleged that some of the residents organised an illegal voting to expel four members of the working Committee. While on 11.05.2022, the election had taken place, in which, the petitioners 1 and 2 have been re-elected. The working committee have some grievance against the newly elected members and the under Secretary of the Foundation had joined hands and lodged a false complaint against the petitioner as if the petitioners have entered into the main town hall and defaced the place as well as deleted the posted materials in the website of the said Society. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that there is no prima facie evidence to show that the petitioners have committed the offences under which he has been allegedly charged. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned counsel for the intervener would submit that the contentions of the petitioners is that, the petitioners are aggrieved by any action of the officials, they can approach the appropriate forum for redressal and not by obstructing the officials from performing their duties by criminal intimidation. Hence, he opposed for the grant of anticipatory bail to the petitioners.

5. The learned Additional Public Prosecutor would submit that the working committee splitted as two groups namely Auroville Foundation Supportive groups and Auroville Foundation against groups belongs to the petitioners. He would further submit that the case is under investigation and if the petitioners are released on anticipatory bail, they will abscond and there is every possibility that they will tamper with the evidences and threaten the witnesses. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

6. Considering the above fact and circumstances of the case and also considering that custodial interrogation of the petitioners are not required, if the petitioners co-operate in the investigation without tampering the evidence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate Court, Vanur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, 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 petitioners 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 petitioners shall report before the respondent police as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

-sd/-

10/06/2022

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
VANUR.

2 THE CHIEF JUDICIAL MAGISTRATE
VILLUPURAM [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
AUROVILLE POLICE STATION,
VILLUPURAM DISTRICT.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S.M.GURUPRASAD
charges SR.No.8901

Advocate on payment of necessary

CRL OP.12464/2022

Date :10/06/2022

CSK 15/06/2022