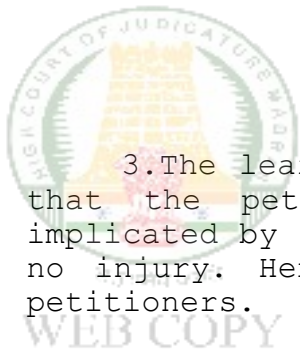




3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been falsely implicated by the prosecution. He would further submit that there is no injury. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Additional Prosecutor appearing for the respondent submitted that when the defacto complainant, who is a Panchayat President, was removing the encroachment at Visalur river as per the order of the District Collector and Block Development Officer, the petitioners herein were abusing the defacto complainant using filthy language and also tried to attack him. He further submitted that there is no previous case pending against the petitioners. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5.Taking into consideration the fact that there is no injury in the said occurrence and there is no previous case pending against the petitioners, this Court is inclined to grant anticipatory bail with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No-II, Virudhachalam Taluk on condition that the petitioners shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum 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 Aadhaar card or bank pass book to ensure their identity.

[b]the petitioners shall report before respondent police as and when required for interrogation.

[c]the petitioners shall not tamper with the 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

WEB COPY

-sd/-
01/06/2022

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 JUDICIAL MAGISTRATE,
NO.II, VIRUDHACHALAM TALUK

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
MANGALAMPET POLICE STATION,
CUDDALORE DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.S.SARAVANAKUMAR Advocate on payment of necessary charges SR.NO.8290

CRL OP.12806/2022

Date :01/06/2022

JPA 06/06/2022