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Crl.OP.No.17434 of 2022

Crl.O.P.No.17434 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioners/A1 & A2 who apprehend arrest at the hands of the respondent police for the offences punishable under **Sections 294(b), 332, 342, 353 and 506(2) of IPC** in Crime No.233 of 2022, seek anticipatory bail.

2. The case of the prosecution is that, the *de-facto* complainant is an Engineer working with the Tiruvannamalai Highways Department, who, for the past 4 months have been working on the project of laying concrete roads in and around Arulmigu Annamalaiyar Thirukovil Madaveedhi. On 16.07.2022, the *de-facto* complainant, as an extension of the above said project being carried out by the Tiruvannamalai Highways Department, was working on constructing Rain water Drainage in Peygopuram and the accused had allegedly prevented him from working and asked for his ID Card and further pushed him and threatened him using abusive language and prevented him from carrying out his government duty. Hence, the case.



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3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit petitioners prevented the government servants from discharging their duty. Hence, he vehemently opposed grant of anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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



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learned J M - I, Thiruvannamalai, on condition that the each of the petitioners shall execute 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 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 daily at 10.30 a.m. for a period of two weeks and thereafter 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.



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[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 229A IPC.

26.07.2022

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