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Crl.O.P.No.18474 of 2022

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N.SATHISH KUMAR,J.

The petitioners, who apprehend arrest for the alleged offences under **Sections 147, 148, 341, 324 and 506(ii) IPC, 1860**, in Crime No.192 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Ex-District (South Chennai) Secretary of AIADMK. On 11.07.2022, the defacto complainant on hearing the information that Thiru.O.Paneer Selvam is arriving to party Head Office, he was waiting near AIADMK Head Office. At that time some of the persons who came out from the Party Head Office, made attack on the supporters of Thiru.O.Paneer Selvam with stones, bottles and deadly weapons during which, the defacto complainant also sustained injuries. Hence, the complaint.



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3. The learned counsel for the petitioners would submit that the petitioners have been falsely implicated in this case. In fact the petitioners are the victims of the attack committed by the team of Thiru.O.Panneerselvam and the petitioners never involved in the alleged crime and that they have been falsely roped in this case since, they were also present in the party office at the time of said chaos. However, he would submit that the petitioners in order to show their bonafide, are ready to pay a substantial amount to any charitable institute as may be directed by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police would submit that the petitioners along with others involved in the said chaos. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent police.



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6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions;

7. Accordingly, the petitioners are directed to pay a sum of **Rs.20,000/- (Rupees Twenty Thousand only) each**, as non-refundable deposit through DD/RTGS/NEFT in favour of the **Cancer Institute (WIA) (Regional Cancer Centre), Adyar, Chennai – 600020, bearing A/c.No.149710011005477, Andhra Bank, Madhya Kailash Branch**. On such payment and production of proof of receipt, 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 is made ready, before the **learned XVIII Metropolitan Magistrate, Saidapet, Chennai**, on conditions that each of the petitioners shall execute a separate bond for a sum of Rs.20,000/- (Rupees Twenty 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the CBCID, Chennai, daily at 10.30 a.m. until further orders and co-operate for the investigation. It is made clear that the Inspector of Police, CBCID, may examine the accused for discovery of any facts.

[c] The petitioners shall pay a sum of Rs.20,000/- (Rupees Twenty Thousand only) each, as non-refundable deposit through DD/RTGS/NEFT in favour of the Cancer Institute (WIA) (Regional Cancer Centre), Adyar, Chennai – 600020, to enable the Dean to use the aforesaid amount for the purpose of treating the Cancer influenced patients and that the receipt of such payment shall be produced before the concerned Magistrate at the time of executing the bond.

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during



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investigation or trial;

(f) 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]***; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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