



Crl.O.P.No.17945 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148 and 353 IPC and Section 3(1) of TNPPDL Act, 1992, in Crime No.336 of 2022, seek anticipatory bail.

2. The case of the prosecution is that on 23.07.2022 at about 22.40 hours, the defacto complainant received a message from police control room stating that two gangs were fighting. While that being so, the petitioners picked up a quarrel with the rival gang with regard to a Election issue and they have assembled unlawfully and prevented him from discharging his duty and damaged a police Gypsy by using knives and wooden logs and sprinkled chilli powder on defacto complainant and his associates. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have nothing to do with he



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alleged offence. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners along with others attacked each other and also damaged the police vehicle by using knives and wooden logs. Therefore, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners on condition that the petitioners shall deposit a sum of Rs.2000/- (Two Thousand only) each to the credit of Crime No.336 of 2022. On receipt of such deposit, the petitioners are ordered to be released on bail.

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 learned Judicial Magistrate, Madhavaram, on condition that the



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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 deposit a sum of Rs.2000/- (Two Thousand only) each to the credit of Crime No.336 of 2022.

[c] 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.

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



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[e] the petitioners shall not abscond either during 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]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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