



Crl.O.P.No.22671 of 2022

A.D.JAGADISH CHANDIRA, J.,

The petitioners, who apprehends arrest for the alleged offences under Sections 147, 148, 294(b), 353, 506(ii) and 307 of IPC and Section 3(1) of TNPPDL Act in Crime No.2421 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a fight between the members belonging to two Muslim groups, and on information the defacto complainant had gone to the place of occurrence. The petitioners have abused the defacto complainant and prevented him from discharging his duty and attempted to commit murder and also caused damage to the articles/vehicles.

3. The learned counsel for the petitioners would submit that since there was a dispute between two groups a false complaint has been given against the petitioners to support the other group. He would submit that no body was injured and no previous case is against the petitioners. Hence, he prays for grant of bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioners are members of one Muslim group



and they formed into unlawful assembly and they have fought with others groups when the police intervened, they have threatened the police and also attempted to commit murder the defacto complainant/Sub Inspector of Police, fortunately he did not sustain any injury.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioners subject to the following 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 (15) days from the date on which the copy of the order is made ready, before the Judicial Magistrate No.I, Ulundurpettai, on condition that the petitioners shall execute a separate 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 daily at 10.30am and 5.30pm until further orders.

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

With the above directions, this Criminal Original Petition is ordered.

20.09.2022

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