



Crl.O.P.No.22697 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 448, 341, 294(b), 323 and 501 of IPC and Section 3 of the Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992 in Crime No.737 of 2022, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioners abused the defacto complainant, intimidated him and also caused damages to the groceries in the super market. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that without prejudice the petitioners are prepared to jointly deposit a sum of Rs.5,000/- towards the damage caused to the groceries in the super market.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that due to previous enmity, the petitioners abused the defacto complainant, intimidated him and also caused damages to the groceries in the super market. He would further submit that there is no previous case pending against them and hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel and perused the materials available on record including the First Information Report.

6. Taking into consideration the facts 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;

7. Accordingly, the petitioners are ordered to be released on bail on condition to jointly make a non refundable deposit of Rs.5,000/- (Rupees Five Thousand only) **to the credit of Crime No.737 of 2022**



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and on such deposit and on receipt of proof of payment, 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, Thiruvallur, on condition that each of the petitioners shall execute separate bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 every Saturday at 10.30 a.m., until further orders.

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



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

22.09.2022

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