



Crl.O.P.No.23320 of 2022

A.D.JAGADISH CHANDIRA, J.,

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The petitioners, who apprehends arrest for the alleged offences under Sections 147, 294(b), 323, 506(i) of IPC in Crime No.394 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was a dispute between two groups on account of conducting temple festival, the petitioners abused and intimidated the defacto complainant and his parties. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent and a false complaint has been given against them. On the complaint given by the petitioners a counter case has been filed in Cr.No.395 of 2022. Hence, he prayed for anticipatory bail to the petitioners.

4.The learned Government Advocate (crl. side) appearing for the respondent police submit that there was a dispute between the petitioners and the defacto complainant on account of conducting temple festival, the petitioners have abused, intimidated and assaulted the defacto complainant. He would also submit that a counter case has been filed by the petitioners in Cr.No.395 of 2022.



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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, Thiruvallur, 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., for a period of four weeks and thereafter on every Saturday at 10.30am., until further orders.

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

[d] the petitioner 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.

26.09.2022

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