



Crl.O.P.No.24112 of 2022

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A.D.JAGADISH CHANDIRA,J.

The petitioners who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(B), 323, 506(i) and 353 of I.P.C, in Crime No. 399 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Rajasekhar, who is working as Accountant in Arulmigu Vaitheyana Swamy Thirukovil, Thitakudi is that, on 24.09.2022, the petitioners along with other accused prevented the archagar from performing pooja and also threatened with dire consequences. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and false complaint has been lodged against them. He would further submit that, the defacto complainant and the archagar prevented the petitioners from entering into the temple. Hence, he seeks for grant of anticipatory bail to the petitioners.



3. The learned Government Advocate (Crl. Side) would submit that, apart from this case, there is no previous case pending against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

4. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail with certain conditions.

5. 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, Titakudi, Cuddalore** on condition that 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



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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 as and when required for interrogation.

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

11.10.2022

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