



Crl.O.P.No.24170 of 2022

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V.SIVAGNANAM,J.

The petitioners, who apprehend arrest for the alleged offences under sections 147, 148, 341, 324, 336 & 353 of IPC and Section 3 of Tamil Nadu Property Prevention of Damage and Loss Act 1992 in Crime No.190 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 11.07.2022, at about 7. 00 a.m., around 200 persons, who are the supporters of Thiru Edappadi Palanisamy had unlawfully gathered near the AIADMK Head Office. While being so, at about 8.45 a.m., more than 200 persons, who are the supporters of Thiru O.Panneer Selvam, also unlawfully gathered there. During that time, there was chaos between both parties and both the parties attacked each others with stones and bottles. As a result of which, the police personals, who were providing security, also sustained injuries. Apart from that, the Government and private vehicles, which were parked near the place, were also damaged.

3.The learned counsel appearing for the petitioner submitted that in fact, the petitioners are the victims of the chaos and they have not committed



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any offence as alleged by the prosecution. They have been falsely roped in this case since they were also present in the party office at the time of the said choas. He further submitted that co-accused in this case were already granted bail. Hence, he pleads for anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that the petitioners along with others involved in the said choas and opposed to grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, custodial interrogation of the petitioner is not necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioners.

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 of receipt of a copy of this order, before the Learned XVIII Metropolitan Magistrate, Saidapet, on condition that the petitioners shall execute own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only), to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioners shall affix their photograph and left



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thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(c) the petitioners shall appear and report before the XVIII Metropolitan Magistrate, Saidapet, daily at 10.30 a.m., until further orders;

(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 has been imposed and the petitioner 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]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

18.10.2022

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