



Crl.O.P.No.24444 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 alleged offence punishable under Sections 147, 341, 353, 285 and 506(i) I.P.C r/w Section 3(1) of Tamil Nadu Public Properties (Prevention of Damages & Loss) Act in Crime No.872 of 2022 on the file of the Respondent Police, seek bail.

2.It is the case of the prosecution that on 21.09.2022, the Petitioners along with other accused persons, formed an unlawful assembly, held protest without permission and also damaged the barricade kept for the protection and destroyed the posters of the Hon'ble Chief Minister and burnt them. The damage is assessed to the tune of Rs.5,000/-. Hence the complaint.

3.Learned Counsel for the Petitioners submitted that the Petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that since the petitioners



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belong to a particular political party, they have been implicated in this case. He added that the main accused in this case have been granted bail by this Court vide its order dated 06.10.2022 in Crl.O.P.No.24427 of 2022 and the petitioners have no previous cases against them. He further added that without prejudice, the petitioners are prepared to deposit Rs.1,000/- to the credit of the Crime No.872 of 2022. Accordingly, prays for grant of anticipatory bail to the petitioners.

4.Learned Government Advocate (Crl. Side) vehemently opposed to the grant of anticipatory bail to the petitioners stating that the petitioners unlawfully assembled, held protest and also damaged the public property. They have also damaged the barricade kept for protection and destroyed the posters of the Hon'ble Chief Minister and also burnt them, the damaged is assessed to the tune of Rs.5,000/-.

5.Taking into consideration the facts and the submissions made by the learned counsel for the petitioners and also considering the fact that the main accused in this case have already been enlarged on bail by



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this Court vide its order dated 06.10.2022 in Crl.O.P.No.24427 of 2022, this Court is inclined to grant bail to the petitioners with certain 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 days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Coimbatore, on condition that the petitioners shall execute a 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.



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[b] the petitioners individually shall deposit a sum of Rs.1,000/- (Rupees one thousand only) to the credit of Crime No.872 of 2022.

[c] the petitioners shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks, thereafter report before the respondent police on every Saturday at 10.30 a.m. until further orders.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;

[f] 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]**;



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[g] If the accused thereafter absconds, a
fresh F.I.R can be registered under Section 229A IPC;

12.10.2022

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12.10.2022