



Crl.O.P.No.25135 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 294(b), 323, 427, 506(i) IPC and Section 4 of Prevention of Damage to Public Property Act, 1984 in Crime No.180 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant was running a tea shop, where the petitioners along with other accused came and abused and assaulted the staff of the defacto complainant and also caused damage to the window panes. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and due to previous enmity, a false complaint had been lodged by the defacto complainant. However, the petitioners, without prejudice to their rights, they are ready and willing to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of crime No.180 of 2022. Therefore, he prays for grant of

Page 1 of 4



Crl.O.P.No.25135 of 2022

anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that the allegation as against the petitioners is that they along with other accused have abused and assaulted the staff of the defacto complainant and also caused damage to the window glasses worth about Rs.17,000/- Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.180 of 2022, within a period of two weeks from the date on which the order copy made ready, and on such deposit the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate-I, Vellore District on condition that the



CrI.O.P.No.25135 of 2022

WEB COPY

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.

[b] the petitioners shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.180 of 2022, within a period of two weeks from the date of receipt of a copy of this order.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders.

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

[f] the petitioners shall not abscond either during investigation or trial.



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Crl.O.P.No.25135 of 2022

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[g] 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]**.

[h] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

19.10.2022

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Crl.O.P.No.25135 of 2022