



Crl.O.P.No.25651 of 2022

A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 323, 324 and 506(ii) of IPC and Sections 3 and 4 of TNPPPD Act, 1992 in Crime No.614 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that when the defacto complainant and his friends questioned the accused about the illegal quarry, the accused assaulted them by pelting stones and also threatened them with dire consequences. Hence, the case.

3. The learned counsel for the petitioner would submit that it is a case and case in counter registered against the defacto complainant in Crime No.613 of 2022. He would further submit that the co-accused in this case has been granted bail vide an order of this Court in Crl.OP.No.24873 of 2022 dated 14.10.2022. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that when the defacto complainant questioned the accused about the



illegal quarry, the accused assaulted them by pelting stones and also threatened them with dire consequences. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and the fact that the co-accused has been released on anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Principal Sessions Judge, Salem** on condition that the petitioner 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 petitioner 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 petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of Crime No.614 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 petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders.

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

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

[g] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have 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]**.



WEB COPY



Crl.O.P.No.25651 of 2022

A.D.JAGADISH CHANDIRA, J.

mka/sma

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

20.10.2022

mka/sma

Crl.O.P.No.25651 of 2022