



Crl.O.P.No.26734 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 143, 270, 289, 353, 427 and 506(i) of IPC in Crime No.17 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners in defiance of the Covid-19 norms/rules have conducted Jallikattu on 17.01.2022 during Pongal Festival and when it was questioned by the de facto complainant, they have prevented him from discharging the official duty. Hence the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and all of them belonging to the same village. He would further submit that the petitioners have conducted Jallikattu in their village without the knowledge of Covid-19 norms/rules



Crl.O.P.No.26734 of 2022

and they have been unnecessarily roped into this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) would submit that the petitioners along with other accused have conducted Jallikattu on 17.01.2022 during Pongal Festival, in defiance of Covid-19 norms/rules. He would further submit that when it was questioned by the de facto complainant, the petitioners prevented the respondent police from discharging the official duty. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the above facts and circumstances of the case and also the submissions made on both sides, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



Crl.O.P.No.26734 of 2022

7. 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 Judicial Magistrate Court, Omalur, Salem** on condition that each of the petitioner 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 his 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.



Crl.O.P.No.26734 of 2022

A.D.JAGADISH CHANDIRA, J.

arb

[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.

04.11.2022

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Crl.O.P.No.26734 of 2022