



Crl.O.P.No.28846 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 353 and 506(ii) of IPC r/w Section 3(1) of TNPPDL Act in Crime No.108 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that under the influence of alcohol, the petitioner along with others disturbed the general public, the said attitude of the petitioners was questioned by the defacto complainant, they assaulted him and also removed and damaged the barricade by pelting stones. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Additional Public Prosecutor appearing for the respondent submits that this is the third anticipatory bail. Earlier, this Court dismissed the anticipatory bail petition filed by the petitioner in Crl.O.P.No.14188 of 2022 and Crl.O.P.No.18157 of 2022, dated 21.06.2022 and 04.08.2022 respectively. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen that though this Court had dismissed the anticipatory bail petition on earlier occasions, the respondent failed to secure the petitioner. In fact, the police was attacked by the petitioner, even then, the respondent did not take any steps to secure the petitioner. Therefore, the investigation in Crime No.108 of 2022 is still pending.

6. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 is made ready, before the learned Judicial Magistrate Court, Thiruvarur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with **two blood related 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 report before the respondent police daily Morning at 10.30 a.m. and Evening at 5.30. p.m., until further orders.

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

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court



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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.

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