



Crl.O.P.No.26742 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 147, 294(b), 323, 353 and 506(i) of IPC in Crime No.580 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the de facto complainant is that when the de facto complainant had attempted to question the petitioners of their gathering, the petitioners tried to move their vehicle from the place without giving attention to the police party. Immediately the de facto complainant intercepted and questioned them, the petitioners have abused the de facto complainant with filthy language and threatened him with dire consequences claiming themselves to be a Members of the Political Party. Hence the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence



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as alleged by the prosecution. He would further submit that the petitioners have falsely roped into this case since they belonging to the Members of the Political Party. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) would submit that when the defacto complainant questioned about the gathering of the petitioners, the petitioners had abused the de facto complainant with filthy language and threatened him with dire consequences claiming themselves to be a Members of the Political Party. 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 the submissions made on both sides, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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 learned Judicial Magistrate-I, Poonamallee** 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 every day at 10.30 a.m., until further orders.**

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



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[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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