



Crl.OP.Nos.27615 & 27616 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 448, 195A and 506(ii) IPC in Crime No.407 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners went to the defacto complainant's house and directed him to put deposition in favour of the them in the trial in S.C.No.305 of 2015, which is pending before the learned II Additional District and Sessions Judge, Salem, and also threatened him that not to depose against them. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons, due to political enmity with A1, a false case has been foisted against these petitioners and they have nothing to do with the alleged offence. He further submitted that this is the third anticipatory bail petition preferred by the petitioners and co-accused A3 to A6 were already obtained bail. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Additional Public Prosecutor submitted that the petitioners threatened the defacto complainant that not to depose against them in the trial. He further submitted that this is the third anticipatory bail petition filed by the petitioners and earlier anticipatory bail petitions were dismissed by this Court. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. 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 District Munsif Court cum Judicial Magistrate, Vazhapadi, Salem District, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two blood sureties each for a like sum to the satisfaction of the respondent police or the police



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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 report before the respondent police daily Morning at 10.30 a.m., and Evening at 5.30 p.m., until further orders.

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

[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 second petitioners in accordance with law as if the conditions have been imposed and the second petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court



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in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

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

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