



Crl.O.P.No.30116 of 2022

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T.V.THAMILSELVI,J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 195(A) and 506(ii) of IPC in Crime No.330 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant Madhavan is that on 31.10.2022, the petitioners/accused have waylaid the de-facto complainant, who is the witness against the petitioners in a previous case pending for trial in Crime No.286 of 2021 and abused him in a filthy language and threatened him not to depose evidence against them on 01.11.2022 and also threatened him with dire consequences. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and due to previous enmity, a false complaint has been given against them. He would further submit that they have nothing to do with the alleged offence and hence, he prays for grant of anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl. Side) would submit that the petitioners/accused have waylaid the de-facto complainant, who is the witness against the petitioners in a previous case pending for trial in Crime No.286 of 2021 and abused him in a filthy language and threatened him not to depose evidence against them on 01.11.2022 and also threatened him with dire consequences. Hence, he vehemently opposed for grant of anticipatory bail.

5. Taking into consideration the facts and circumstances of the case and also of the submissions made by the learned counsel, 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 **learned Judicial Magistrate No.II, Salem** on condition that each of the petitioners shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten 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 their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police every Saturday at 10.30 a.m., for a period of 8 weeks and as and when required for interrogation.

[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 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]**.



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

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