



Crl.O.P.Nos.30531 & 30539 of 2022

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T.V.THAMILSELVI, J.

The petitioners in Crl.OP.Nos.30531 & 30539 of 2022, who apprehend arrest for the alleged offences punishable under Sections 341, 324, 147, 384 and 506(i) of IPC in Crime No.357 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. It is the case of the prosecution that the defacto complainant's husband who is attached to the Virudhachalam Lorry owners Association is allowed to operate the lorry service for Tamil Nadu Civil Supplies Corporation Godown situated at Seplanatham Temporary Paddy Procurement Godown. While so, the alleged activities were objected by the petitioners association and they have prevented the defacto complainant's husband from loading paddies in the godown. On account of which, the petitioners have assaulted the defacto complainant's husband and also caused him injuries and also seized the lorry of the defacto complainant's husband and demanded a sum of Rs.2,00,000/- from the defacto complainant's wife for the release of the said lorry. Hence this complaint.

3. The learned counsel appearing for the petitioners submitted that



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the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that these two petitions are second anticipatory bail petitions filed by the petitioners and on earlier occasion this Court in Crl.OP.Nos.19058 & 18896 of 202 dated 26.10.2021 granted anticipatory bail to the petitioners, however the petitioners were unable to execute the sureties on time due to illness. Hence they filed the present anticipatory petitions and prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent submitted that there was a commercial dispute between the petitioners lorry association and the defacto complainant. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.Side), 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 District Munsif cum Judicial Magistrate, Neyveli on



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condition that each of the petitioner shall execute a 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 are directed to report before the respondent police **on every Wednesday at 10:30 a.m., for a period of eight weeks and thereafter 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



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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.

13.12.2022

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