



Crl.O.P.No.219 of 2023

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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 294(b), 323, 353, 435 and 506(ii) of IPC in Crime No.35 of 2022, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant, who is the Village Administrative Officer is that the petitioners abused him in filthy language and prevented him from discharging his official duty. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that A1 has already been granted bail by the learned Judicial Magistrate No.I, Mettur in C.M.P.No.93 of 2022. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (crl.side) for the respondent Police appearing for the respondent would submit that the petitioners had



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abused the defacto complainant who is the Village Administrative Officer and prevented him from discharging his official duty. He would further submit that the investigation has been completed. However, he opposed for grant of anticipatory bail to the petitioners.

5. Taking note of the facts and circumstances and also of the submissions made by the learned counsel and also of the fact that the investigation has been completed, 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.I, Mettur**, on condition that each of the petitioners shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each 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



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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 file an undertaking affidavit stating that they will not indulge in any unlawful activities in the Poromboke Land.

[c] the petitioners shall report before the respondent police every day at 10.30 a.m for a period of six weeks.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;

[f] 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



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

[g] if the accused thereafter absconds, a fresh FIR
can be registered under Section 229-A IPC.

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