



CrI.O.P.No.403 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), 451, 436, 427 and 506(ii) r/w 34 of IPC in Crime No.602 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant's son eloped with the daughter of the first petitioner. Due to which, the petitioners along with other accused entered into the house of the defacto complainant, assaulted them and also caused damages to the household articles viz., fridge by setting fire. Hence the complaint.

3.The learned counsel for the petitioners would submit that this is the second application for anticipatory bail and the petitioners were earlier granted anticipatory bail by this Court in CrI.O.P.No.22603 of 2022 with a condition to deposit a sum of Rs.15,000/- to the credit of Crime No.602 of 2022. Due to paucity of funds, they were unable to deposit the said



Crl.O.P.No.403 of 2023

amount in time and the order has got lapsed and thereby, the present petition has been filed. He would further submit that the petitioners now ready to deposit the above said amount to the credit of Crime Number and thereby, he seeks for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent Police would submit that the petitioners were already granted anticipatory bail by this Court in Crl.O.P.No.22603 of 2022 on 22.09.2022. He would further submit that they failed to deposit the said amount and produce the sureties within time and thereby, the earlier order has got lapsed. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5.Heard the learned counsel for the petitioners as well as the learned Government Advocate (crl.side) for the respondent and perused the entire materials available on record including the First Information Report.



CrI.O.P.No.403 of 2023

WEB COPY

6.Taking into consideration the facts of the case and the submissions made by the learned counsel and also taking note of the fact that now the petitioners are ready to deposit the said amount, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are directed to deposit a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.602 of 2022"** and on such deposit and production of proof, 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, Sriperumbudur, on condition that each of the petitioners shall execute a 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 which, the petition for anticipatory bail shall stand dismissed and on further condition that:



WEB COPY



CrI.O.P.No.403 of 2023

[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 appear before the respondent Police on every Saturday at 10.30 a.m., for a period of eight weeks.

[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]**;

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



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CrI.O.P.No.403 of 2023

09.01.2023



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Crl.O.P.No.403 of 2023

T.V.THAMILSELVI, J.

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Crl.O.P.No.403 of 2023

09.01.2023