



Crl.O.P.No.3001 of 2023

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 143, 448, 294(b), 323, 353 & 506(i) of IPC, in Crime No.19 of 2023, seek anticipatory bail.

2. The case of the prosecution is that on 30.01.2023, the petitioners along with other accused persons entered into the Municipality office and abused the Chairman and his office bearers with filthy language. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that on the day of occurrence, one Selvakumar abused the public in the common place and when the same was questioned by the petitioners, there was a wordy quarrel and for the above said reason, the petitioners have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioners along with some others entered into the Municipality office and abused the Chairman and other office bearers with filthy language. He further submits that one ward councillor abused the public and when the same was questioned, there was a wordy quarrel between the petitioners and the defacto complainant. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels, 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 (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate, Valparai*, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), each with two sureties



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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 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 Court concerned 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 on every Tuesday at 10.30 a.m., for a period of four 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 has been imposed and the petitioners is 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]*; and;



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

13.02.2023

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