



CrI.O.P.No.3461 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 147, 153A(1)(a), 341, 294(b), 353, 505(1) (a), 506(1), 509 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Cr.No. 83 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is ranked as A4. It is alleged that the petitioner along with 50 accused persons conducted procession near Periyar Status without obtaining prior permission from the Police disturbing the free flow of vehicles and further threatened the Police officials. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution. He further submits that the petitioner is innocent and is no way connected with the said offence. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl.side) submits that there are two previous cases pending against the petitioner. He further submitted that the petitioner and other accused persons were causing hindrance to the general public by conducting the aforesaid procession. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that the petitioner is arrayed as A4, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **learned Judicial Magistrate, Arani**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each**, with two sureties each (one of which shall be a blood related surety) 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:



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(a)the petitioner 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 petitioner shall report before the Inspector of Police, Palayankottai, Thirunelveli every Saturday at 10:30 a.m for a period of two (2) months thereafter the petitioner shall again report before the Inspector of Police Palayankottai, Thirunelveli every Saturday at 10:30 a.m for a period of another three (3) months ;

(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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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Crl.O.P.No.3461 of 2023

T.V.THAMILSELVI, J.

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(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

15.02.2023

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Crl.O.P.No.3461 of 2023