



Crl.O.P.No.3629 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 448, 294(b), 352 and 506(i) of IPC, in Crime No.10 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the accused persons have trespassed into the house of the de-facto complainant, abused him and his family members in a filthy language and threatened them with dire consequences. Hence, the case.

3. Learned Counsel for the petitioner submitted that the petitioners are innocent persons and they have been falsely implicated in this case, since they accompanied A1. He further submitted that the petitioners have nothing to do with the alleged offence and they are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that due to previous enmity, the petitioners (A2 & A3 respectively) along with A1, trespassed into the house of the de-facto complainant, abused him and his family members in a filthy language and threatened them with dire consequences. He further submitted that A1 in this case is still absconding and hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel for the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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



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date on which the order copy made ready, before the learned **Judicial Magistrate, Thiruthuraipoondi**, on condition that each of the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties (out of which, one should be the blood surety, who should produce document to show his/her means), 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 shall report before the respondent police daily at 10.30 a.m., for a period of two months and thereafter, as and when required for interrogation;

[c] the petitioners should stay away from the de-facto complainant and his family and they should not communicate or interfere with them;



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

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

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