



CrI.O.P.No.4082 of 2023

CrI.O.P.No.4082 of 2023

T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest for the alleged offence under Sections 294(b), 387 and 506(ii) of IPC in Cr.No.396 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is running a grocery shop and the petitioners herein along with other accused persons visited the de-facto complainant's shop and demanded Mamool and threatened him continuously for the past five months. As the de-facto complainant refused to give the same, the petitioners abused the de-facto complainant continuously by using filthy language, snatched several things from his shop, which are worth about Rs.500/- and threatened him with dire consequences. Hence, this complaint.

3. Learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (CrI.side) submits that due to family



CrI.O.P.No.4082 of 2023

dispute, the petitioners along with other accused persons, demanded Mamool from the de-facto complainant and when the same was refused by him, the petitioners damaged the groceries in the de-facto complainant's shop that are worth about Rs.500/-. He further submitted that, there is one previous case pending as against the 1st petitioner/accused A1. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that the petitioners on their own volition, are ready to deposit an amount of Rs.10,000/- to the credit of the Advocate Clerks Welfare Association, Villupuram District, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are directed to make a non-refundable deposit of a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Advocate Clerks Welfare Association, Villupuram District within a period of four weeks from the date on which the order copy made ready, and on such deposit the petitioners are ordered to be released on bail in the event of arrest or on his appearance, before the **learned Judicial Magistrate, Vanur,**



CrI.O.P.No.4082 of 2023

on condition that 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:

(a) the petitioners shall make a non-refundable deposit of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of the Advocate Clerks Welfare Association, Villupuram District, within a period of four weeks from the date of receipt of a copy of this order.

(b) 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;

(c) the petitioners shall report before the respondent police on every Sunday at 10.30 a.m. for a period of two months;

(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;



CrI.O.P.No.4082 of 2023

T.V.THAMILSELVI, J.

skt

(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]***; and;

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

27.02.2023

skt

CrI.O.P.No.4082 of 2023