



Crl.O.P.No.5429 of 2023

Crl.O.P.No.5429 of 2023

A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 153(A)(1)(a), 341, 294(b), 353, 505(1)(a), 506(1) & 509 of IPC r/w.section 4 of Tamilnadu Women Harassment Act in Crime No.83 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that on 26.01.2023 at about 11.30 a.m., when the respondent police went to Vellore Central Prison to escort the accused person one Baskaran @ Pakalavan and Ramesh who were released from the Central Prison, Vellore, at that time the petitioners along with other persons without prior permission from the police, near Periyar Statues, they conducted procession and disturbed the public and also raised slogans against the police officials and damaged the public properties. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and and he has been falsely implicated in this case. He would further submit that the co-accused have



CrI.O.P.No.5429 of 2023

been granted anticipatory bail by this Court in CrI.O.P.No.3515 of 2023 dated 16.02.2023. Hence he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate(CrI.Side) appearing for the respondent Police would submit that co-accused have been granted anticipatory bail by this Court in CrI.O.P.No.3515 of 2023 dated 16.02.2023. However, he opposed for grant of anticipatory bail to the petitioner.

5.Heard the learned counsel 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, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Arani**, on condition that the petitioner shall



Crl.O.P.No.5429 of 2023

WEB COPY

execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 petitioner 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 petitioner shall stay at Vellore and report before the Vellore Town Police Station daily at 10.30 a.m., until further orders.

[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



WEB COPY



CrI.O.P.No.5429 of 2023

A.D.JAGADISH CHANDIRA, J.

mpa

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]**;

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

10.03.2023

mpa

CrI.O.P.No.5429 of 2023