



Crl.O.P.No.6014 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 143, 341, 353, 290 and 188 of IPC in Crime No.195 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the de facto complainant Vinayagamoorthy, Sub-Inspector of Police, Vandavasi South Police Station is that the petitioners/accused have formed into an unlawful assembly and without permission, had conducted procession and prevented the police officials from discharging their duty and they also created hindrance/disturbance to the Public and traffic. Hence the case.

3. The learned Counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that the alleged occurrence is said to have taken place on 19.10.2022, due to political animosity, a false complaint has been given. He would also submit that



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the petitioners are ready and willing to furnish solvent sureties and to abide by any stringent condition that may be imposed on them. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the petitioners/accused have formed into an unlawful assembly and without permission, had conducted procession and prevented the police officials from discharging their duty and they also created hindrance/disturbance to the Public and traffic. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the entire materials available on record including the First Information Report.

6. Taking into consideration the facts and circumstances of the case and the submissions of either side, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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 date on which the order copy made ready, before **the learned Judicial Magistrate, Vandavasi**, on condition that **each of the petitioner shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 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 every day at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.**



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[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 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]**;

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

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