



Crl.O.P.No.6369 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 147, 353 & 506(i) of IPC, in Crime No.82 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Deepika, Sub Registrar, Magudanchavady is that on 07.03.2023, the accused had trespassed into the house and compelled her to register the document which was prohibited and when she refused to do so, the accused abused her in filthy language and also mentally tortured her. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He further submit that the petitioners are members of the political organisation and when they received information that the Sub-Registrar was demanding excess money from several people for registering the document and on questioning the same, a false complaint has been given by the petitioners. He further submit



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that it is very well proved from the CCTV footage only four persons have gone into the office of the Sub-Registrar and they were only questioning the defacto complainant and they have neither misbehaved with the defacto complainant nor harassed her. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) would submit that the petitioners are habitual offender and that they have entered into the register office and threatened the defacto complainant to register the prohibited document and when she refused to do so, the petitioners have abused her with filthy language and also intimidated her. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel on either sides and perused the entire materials available on record.

6. Taking into consideration the above facts and circumstances of the case and the submissions made by the learned counsel on 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 No.II, Sangagiri, on condition that the petitioners shall execute a 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] (i) the first, third, fourth and fifth petitioners shall report before the respondent police twice everyday at 10.30 a.m, and 5.30 p.m, until further orders; and

(ii) the second petitioner shall report before the respondent police everyday at 5.30 p.m, until further orders;



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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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