



Crl.O.P.No.6381 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 294(b), 435 and 506(i) of IPC, in Crime No.180 of 2023, seek anticipatory bail.

2. The case of the prosecution is that as per the defacto complainant, the petitioners along with other accused had consumed alcohol in front of the defacto complainant's house and at that time, the defacto complainant questioned the petitioners not to disturb the public. But, the petitioners had abused the defacto complainant with filthy language and threatened him with dire consequences and also burned his bike. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioners are innocent persons and a false complaint has been registered against them. He would further submit that A1 and A2 were arrested and enlarged on bail by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) would submit that the petitioners along with other accused had abused the defacto complainant with filthy language and threatened him and also burned the defacto complainant's bike. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the above facts and circumstances of the case and the submissions made on both sides, 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 date on which the order copy made ready, before **the learned Judicial Magistrate Court, Sriperumbudur, Kanchipuram District**, on condition that the petitioners shall execute a



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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 his Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

[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



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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.

28.03.2023

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