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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 435 and 506(ii) of IPC, in Crime No.51 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Silambarasan is that the defacto complainant and the 1st petitioner were friends and they had stated a parcel service in the name and style of Tamizhan Transport and thereafter, due to some misunderstanding, the defacto complainant left the business and started a new transport business in the name and style of Sai Transport. Two days prior to the occurrence, the defacto complainant had asked the 1st petitioner to produce accounts to him and the same was refused by the 1st petitioner and he also threatened him with dire consequences. Thereafter, on 07.02.2023 at about 9.30 p.m., the defacto complainant had loaded fertilizers in his Ashok Leyland Dost bearing Regn.No.TN 77 P 2868 and during midnight at about 01.20 a.m., he heard a sound of explosive and



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when he went out side, he found his fertilizer vehicle was set ablaze and before they tried to put off the fire, all the fertilizers worth about Rs.2,06,087/- got destroyed. Next day morning, though his neighbour, the defacto complainant came to know that on the date of occurrence, the 1st petitioner had contacted his neighbour and used cryptic words about the defacto complainant's fertilizer and during their conversation, the 2nd and 3rd petitioners were also with the 1st petitioner. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Even as per the complaint, only on surmise, the petitioners have been implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that the 1st petitioner and the defacto complainant were earlier partners in a business and due to enmity, the 1st petitioner along with the 2nd and 3rd petitioners, set fire to the vehicle of the defacto complainant which was



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loaded with Fertilizers and caused damages to the tune of Rs.2,06,087/-.

Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. The learned counsel for the Intervenor vehemently opposed for grant of anticipatory bail to the petitioners stating that two days prior to the date of occurrence, the 1st petitioner had abused and criminally intimidated the defacto complainant and subsequently, on 07.02.2023, he along with the 2nd and 3rd petitioners, set fire to the vehicle of the defacto complainant and caused damages to tune of Rs.2,06,087/-.

6. At this juncture, the learned counsel for the petitioners would submit that without prejudice to their rights and defence, the petitioners are ready and willing to deposit a sum of Rs.1,50,000/- jointly, to the credit of crime number and prayed for grant of anticipatory bail to the petitioners.

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



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8. Considering the above facts and circumstances of the case and the submissions of the learned counsel, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

9. Accordingly, the petitioners are directed to **jointly deposit a sum of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand Only) to the credit of Crime No.51 of 2023** and on such deposit, 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 is made ready, before **the learned Judicial Magistrate No.I, Attur**, on condition that the petitioners shall execute separate bonds 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:



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[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. for a period of two weeks and thereafter, on every Saturday at 10.30 a.m. until further orders;

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[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.

[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]**.



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

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