



Crl.O.P.No.11197 of 2023

Crl.O.P.No.11197 of 2023

V.LAKSHMINARAYANAN. J.,

The petitioners, who apprehend arrest for the alleged offences under Sections 147, 294(b), 353, 270 and 511 of IPC in Cr.No.1458 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant viz., Siva Kumar, who is a supervisor in the Health Department in Vellore Municipality, is that on 07.07.2020 when he was on his usual rounds, the petitioners have waylaid him, abused him in filthy language and have also prevented him from discharging his official duties. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and a false case has been foisted against them as if they have violated the Covid-19 rules. He would submit that the petitioners have no previous case pending against them.



Crl.O.P.No.11197 of 2023

WEB COPY

4. It is further stated by the learned counsel for the petitioners that Anticipatory Bail was already granted in favour of the petitioners in Crl.O.P.No.17110 of 2020 by an order of this Court dated 02.11.2020. The petitioners were unable to execute the sureties, due to Covid-19 pandemic. The petitioners are now ready to execute the same. Hence, he prays for grant of anticipatory bail to the petitioners.

5.The learned Government Advocate (Crl. Side) submits that the petitioners are alleged to have waylaid the defacto complainant, abused him in filthy language and have also prevented him from discharging his official duties. He would also submit that anticipatory bail was already granted to the petitioners in Crl.O.P.No.17110 of 2020 by an order of this Court dated 02.11.2020.

6. It transpires that the petitioners have not complied with the conditions within the time stipulated by this Court. Therefore, a fresh Anticipatory Bail petition has been filed. As anticipatory bail has already been granted and the conditions have not been complied, I am inclined to



CrI.O.P.No.11197 of 2023

grant anticipatory bail to the petitioners, by extending the time for complying the conditions for a further period of two weeks from the date of receipt of a copy of this order, with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his/her/their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.IV, Vellore, Vellore District** on condition that the petitioners shall execute a separate bond each 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 and on further condition that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of two weeks from the date of receipt of a copy of this order, this order shall stand automatically cancelled;



Crl.O.P.No.11197 of 2023

(b) the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation;

(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]***; and;



Crl.O.P.No.11197 of 2023

WEB COPY

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

24.05.2023

ab



WEB COPY



Crl.O.P.No.11197 of 2023

V.LAKSHMINARAYANAN. J.,

ab

Crl.O.P.No.11197 of 2023

24.05.2023