



Crl.O.P.No.7369 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 offence punishable under Sections 147, 148, 448, 427, 294(b), 324, 506(ii) of IPC, in Crime No.2125 of 2020 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution as per the defacto complainant/Mathiazhagan is that due to previous enmity, the petitioners along with other accused have trespassed into the shop of the defacto complainant, abused him in a filthy language, assaulted him wooden log and knife and also damaged his shop. the case.

3. The learned Counsel for the petitioners would submit that the petitioners are innocent persons and due to previous enmity, a false complaint has been given against them. He would further submit that the petitioners are ready to abide by any stringent condition that may be imposed 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) for the respondent would submit that due to previous enmity, the petitioners along with other accused have trespassed into the shop of the defacto complainant, abused him, assaulted him wooden log and knife and also damaged his shop. He would further submit that the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. At this juncture, the learned counsel for the petitioner would submit that the petitioner, to show his bonafide, without prejudice to his defence and contention, is ready and willing to deposit a sum of Rs.5,000/- each to the credit of crime number before the concerned Court and hence, he prayed for grant of anticipatory bail to the petitioner.

6. Heard both sides and perused the materials available on record including the FIR.

7. Taking into consideration the facts and the submissions made by



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the learned counsel on either side and also considering the fact that the petitioner is volunteered to deposit a sum of Rs.5,000/- each to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are ordered to be released on bail on condition to make a non refundable deposit of **Rs.5,000/- (Rupees Five Thousand only) each** by way of Demand Draft/RTGS/NEFT to the credit of **Crime No.2125 of 2020** and on such deposit and on receipt of proof of payment, 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, Cheyyar, Tiruvannamalai District**, on condition that the petitioners shall execute a separate bond 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



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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 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 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]**.



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[f] If the accused thereafter abscond, a fresh FIR

can be registered under Section 229A IPC.

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