



Crl.O.P.No.8303 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), 353 and 506(ii) of IPC in Crime No.224 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Gokula Muruga Boopathy, Sub Registrar, Perambalur, is that on 31.03.2023, the petitioners who came to the Sub Registrar Office, threatened the defacto complainant to issue Partition Deed and obstructed his work and also used filthy language for demanding correct stamp amount. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that the 2nd petitioner is the father of the 1st petitioner. The 2nd petitioner is a 47 years experienced document writer. On the date of occurrence, the defacto complainant who is the Sub Registrar,



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Perambalur, demanded extra stamp duty for partition deed by making unnecessary queries and therefore, there was a wordy quarrel between them and that the respondent, without proper enquiry, has registered a false case against the petitioners. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) for the respondent Police would submit that the petitioners abused the defacto complainant who is the Sub Registrar, Perambalur, in filthy language and prevented him from discharging his duty and also threatened with dire consequences. Hence, he opposed for grant of anticipatory bail to the petitioners.

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

6. Taking note of the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is



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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-I, Perambalur**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties** 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.



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[b] the petitioners shall report before the respondent police every day at 10.30 p.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].

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

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