



Crl.O.P.No.12504 of 2023

Crl.O.P.No.12504 of 2023

WEB COPY

A.D.JAGADISH CHANDIRA,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 448, 451, 294(b) & 506(i) of IPC read with 3 of TNPPDL Act, in Crime No. 317 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners in drunken mode, broke open the gate of the defacto complainant's ashram, damaged the CCTV Cameras and also threatened that they would demolish the building using JCB. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners were earlier filed Crl.OP.No.23117 of 2022 seeking anticipatory bail and this Court had granted anticipatory bail to the petitioners with a condition that the petitioners shall deposit a sum of Rs.15,000/- to the credit of Crime Number 317 of 2022. He further submitted that due to some miscommunication with the Advocate, the order was not communicated with them and thereby the petitioners were



Crl.O.P.No.12504 of 2023

unable to surrender and deposit the amount and hence the earlier order of the anticipatory bail got lapsed and thereby present petition has been filed.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioners were granted anticipatory bail in Crl.OP.No.23117 of 2022 dated 23.09.2022 and that they have not complied the order.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) and perused the materials available on record.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners shall make a non-refundable deposit of a sum of Rs.2,000/- (Rupees Two Thousand only) each to the credit of District Legal Services Authority attached to the Court concerned and on such deposit and production of proof, the petitioners are ordered to be released on bail in the event of arrest or on their



WEB COPY

appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Thiruvallur**, on condition that the petitioners shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each** 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 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., 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



Crl.O.P.No.12504 of 2023

WEB COPY

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.

07.06.2023

drl



WEB COPY



Crl.O.P.No.12504 of 2023

A.D.JAGADISH CHANDIRA,J.

drl

Crl.O.P.No.12504 of 2023

07.06.2023