



Crl.O.P.No.8699 of 2023

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**V.LAKSHMINARAYANAN, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 153, 153A(1), (a) and 505(1) (b) of I.P.C. in Crime No.405 of 2022, on the file of respondent police, seeks anticipatory bail.

2. The case of prosecution is that on 10.10.2022, when the Tamil Nadu Beef Seller's Association organised a protest in support of beef sellers without obtaining proper permission, in which, the petitioner said to have attended the protest and also gave a speech against a religion. Hence, the complaint.

3. The learned counsel for petitioner submitted that he is a practicing advocate at Tiruthani and a founder president of Dalit people's front. He would submit that the protest organised by the association is not unlawful and it was organised after obtaining proper permission from the respondent police. He would further submit that the speech delivered by the petitioner is



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not intentional to harm any individual or religion or community or a caste and it was made only to support beef sellers, since they were continuously harassed by group of cow vigilantes. So, a false case has been foisted against him and he has not committed any offence as alleged in the complaint. He would further submit that he is no way connected with the offence and he is an innocent person. He would submit that the petitioner is ready to cooperate with the investigation and also abide by any condition imposed by this court. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent raised objection stating that when a protest organised by Tamil Nadu Beef Seller's Association in support of beef sellers, the petitioner attended the protest and also made a speech, which is harmful to the individual and religion. He would further submit if he is granted anticipatory bail, he will tamper the witnesses and hamper the investigation. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case, and considering the fact that the investigation is almost completed, this Court is



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inclined to grant anticipatory bail to the petitioner with certain conditions.

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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned VII Metropolitan Magistrate, George Town Court, Chennai, on condition that the petitioner shall execute a 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 shall stand dismissed and on further condition that:

[a] the petitioner 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 petitioner shall appear before the respondent police as and when required for the investigation.**

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.

**24.05.2023**

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**V.LAKSHMINARAYANAN, J.**



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**24.05.2023**