



Crl.O.P.No.10378 of 2023

WEB COPY

Crl.O.P.No.10378 of 2023

K.GOVINDARAJAN THILAKAVADI, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294 (b), 448, 323, 324, 379 and 506(ii) of IPC in Crime No.236 of 2023, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and others have illegally trespassed the defacto complainant's transport company and attacked the employee of the defacto complainant and abused with the filthy language and threatened the defacto complainant. Hence, the complaint.

3.The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are no way connected with the alleged offence. He also submitted that the petitioners are ready to abide by any stringent conditions that may be



Crl.O.P.No.10378 of 2023

imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) would submit that due to personal business motive, the petitioners entered into the transport company of the defacto complainant and damaged the same and threatened the defacto complainant with iron rod and they have stolen money to the tune of Rs.40,000/- and three lorries from the company of the defacto complainant. He would further submit that the injured has been discharged from the hospital. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Taking into consideration the facts and the submissions made on either side and also the fact that the injured has been discharged from the hospital and that the petitioners are ready and willing to deposit some amount to the credit of Crime No.236 of 2023, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CrI.O.P.No.10378 of 2023

WEB COPY

6. Accordingly, the petitioners are directed to deposit a sum of **Rs.40,000/- (Rupees Ten Thousand Only)** to the credit of crime No. **236 of 2023**, within a period of three weeks from the date on which the order copy made ready, and on such deposit the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned **Judicial Magistrate No.I, Ulundurpet, Kallakurichi District** on condition that the petitioners each shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 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.



Crl.O.P.No.10378 of 2023

WEB COPY

[b] the petitioners shall deposit a sum of **Rs.40,000/- (Rupees Forty thousand Only)** to the credit of Crime No.236 of 2023, within a period of three weeks from the date on which the order copy made ready and the defacto complainant is permitted to withdraw this amount.

[c] the final order in respect of the said deposit shall be passed by the learned Trial Judge at conclusion of trial.

[d] the petitioners shall appear before the respondent police everyday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioners shall not abscond either during investigation or trial.

[g] 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]**.



WEB COPY



Crl.O.P.No.10378 of 2023

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

11.05.2023

vga/rsi



WEB COPY



Crl.O.P.No.10378 of 2023

K.GOVINDARAJAN THILAKAVADI, J.

vga/rsi

Crl.O.P.No.10378 of 2023

11.05.2023