



Crl.O.P.No.11078 of 2023

Crl.O.P.No. 11078 of 2023

K.GOVINDARAJAN THILAKAVADI, J.

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 353 of IPC in Crime No.114 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 18.03.2023, when the defacto complainant/VAO and other officials, on the order of the Tahsildar, went to fix the pipeline that has been obstructing the flow of water to the village people, the petitioners stopped them from laying the pipeline and abused them in a filthy language thereby, prevented them from doing their official work. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent person and they have not committed any offence as alleged by the prosecution. Hence, he prayed to grant anticipatory bail to the petitioners.



CrI.O.P.No.11078 of 2023

WEB COPY

4. The learned Additional Public Prosecutor appearing for the respondent would submit that when the defacto complainant/VAO and other officials, on the order of the Tahsildar, went to fix the pipeline that has been obstructing the flow of water to the village people, the petitioners stopped them from laying the pipeline and abused them in a filthy language thereby, prevented them from doing their official work. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration the facts and the submissions and that the petitioners are ready and willing to deposit some amount to the credit of Cr.No. 114 of 2023, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each to the credit of crime No. 114 of 2023 within a period of three weeks from the date on which the order copy made ready**, and on such deposit the petitioners



CrI.O.P.No.11078 of 2023

are ordered to be released on bail in the event of arrest or on their appearance, before the learned **Judicial Magistrate No.1, Sankari**, on condition that the petitioners shall execute a separate 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.

[b] the petitioners shall deposit a sum of **Rs.10,000/- (Rupees Ten thousand Only) each to the credit of Crime No.114 of 2023 within a period of three weeks** from the date on which the order copy made ready;

[c] if the same attitude of petitioners is continued, the anticipatory bail petition will be cancelled;

[d] the petitioners shall appear before the respondent police



Crl.O.P.No.11078 of 2023

daily at 10.30 a.m., for a period of eight 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]**.

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

10.05.2023

nr/nti



WEB COPY



Crl.O.P.No.11078 of 2023

K.GOVINDARAJAN THILAKAVADI, J.

nr/nti

Crl.O.P.No. 11078 of 2023

10.05.2023