



Crl.OP.No.13575 of 2023

A.D.JAGADISH CHANDIRA, J.

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The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 341, 294(b) of IPC r/w Section 3(1) of TNPPDL in Crime No.174 of 2022 on the file of the respondent police, seek anticipatory bail.

2. During the temple festival, quarrel between two groups have erupted and when the defacto complainant's group, retuning back in the Tempo Traveller Van, after the festival, relayed by the accused persons and damaged the vehicle. Hence, the complaint registered under Sections 147, 148, 341, 294(b) of IPC r/w Section 3(1) of TNPPDL in Crime No.174 of 2022.

3. The learned counsel for the petitioners submitted that the petitioner are innocent persons and they have not committed any offences as alleged by the prosecution and that they have been falsely implicated in this case. He further submit that co-accused has been granted anticipatory bail by this Court in Crl.O.P.No.18685 of 2022 vide order dated 08.08.2022. Hence, he



prays for grant of anticipatory bail to the petitioners.

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4.The learned Government Advocate (Criminal Side) appearing for the respondent submitted that the petitioners intercepted the vehicle of the defacto complainant while returning from the temple festival and damaged the vehicle. Hence, he opposed for grant of anticipatory bail to the petitioner.

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

6. Considering the facts and circumstances of the case and that the co-accused has been granted anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioners on certain conditions that the petitioners shall deposit a sum of **Rs.1,500/-(Rupees One thousand and five hundred Only) each** to the credit of Crime No.174 of 2022 before the learned **Judicial Magistrate, Thirukalukundram.**

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the



date of receipt of a copy of this order, before the **learned Judicial Magistrate, Thirukalukundram** on condition that the petitioners shall execute separate bonds for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only) each**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 7 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall deposit a sum of **Rs.1,500/- (Rupees One thousand and five hundred only)** to the credit of Crime No.174 of 2022 before the **learned Judicial Magistrate, Thirukalukundram ;**

(d) the petitioners shall report before the **Investigation Officer as and when required for interrogation ;**



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(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 are 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]***; and

(h) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Anu

21.06.2023

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