



Crl.O.P.No.14216 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 341, 294(b), 353, 332, 506(ii), 149 of IPC and 3(2)(e) of Prevention of Damage to Public Property Act, 1984 in Crime No.60 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant/G.Kadiressane, Station House Officer, Sub-Inspector of Police, is that the two groups of people were found fighting with each other at the main road near post office Kariyamanikkam and they obstructed the free flow of traffic and when the police have attempted to clear them, the petitioners had assaulted him with wooden log and caused damaged to the police vehicle and also prevented them from discharging their official duties. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as



CrI.O.P.No.14216 of 2023

alleged by the prosecution. He would further submit that actually the other group had assaulted the police and unnecessarily, the petitioners had been falsely implicated in this case. He further submit that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court.

4. The learned Public Prosecutor (Puducherry) appearing for the respondent would submit that the petitioners had abused and assaulted the police and also caused damaged to the vehicle to the tune of Rs.15,000/- However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. In reply, the learned counsel for the petitioner would submit that without prejudice the petitioner is prepared to deposit a sum of Rs.3,000/- each to the credit of Crime Number and hence he prays for grant of anticipatory bail to the petitioners.

6. Heard the learned counsel for the petitioners and the learned



Cr.L.O.P.No.14216 of 2023

Public Prosecutor (Puducherry) and also perused the materials available on record.

7. Taking into consideration the facts and circumstances of the case and the submission made by the learned counsel on either side and also taking note of the fact that the petitioners have come forward to deposit an amount of Rs.3000/- each, to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are is directed to deposit a sum of Rs.3,000/- (Rupees Three Thousand only) each, to the credit of Crime Number 60 of 2023 and on such deposit and on receipt of proof of payment, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Puducherry** on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand



CrI.O.P.No.14216 of 2023

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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 report before the respondent police everyday at 10.30 a.m., for a period of four weeks and thereafter every Saturday 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



CrI.O.P.No.14216 of 2023

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]**.

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

26.06.2023

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Crl.O.P.No.14216 of 2023

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Crl.O.P.No.14216 of 2023

26.06.2023