



Crl.O.P.No.14861 of 2023

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G.CHANDRASEKHARAN. J.

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 353, 294(b) and 506(2) of IPC in Crime No.34 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. It is the submission of the learned counsel for the petitioners that, petitioners are innocent persons and they have been falsely implicated in a case registered for the offence under Sections 353, 294(b) and 506(2) of IPC in Crime No.34 of 2023. He further submitted that, 1st accused in this case was enlarged on bail. Thus, he seeks anticipatory bail to the petitioners.

3. In response, learned Government Advocate (Crl. Side) submitted that, defacto complainant is a Senior Bailiff working in District Munsif Court at Sendamangalam. He was entrusted with the job of executing arrest warrant in R.E.P.No.135 of 2015. He visited the judgement debtor's house at about 07.00.a.m on 20.01.2023, for arresting



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the judgement debtor namely the 1st accused Madeshwaran. When the defacto complainant informed about the arrest warrant, 1st accused scolded the defacto complainant in filthy language and made disparaging remark against the Court and tore the arrest warrant. 2nd accused tried to attack the defacto complainant with aruvamanai. 3rd accused attacked the defacto complainant using brick and he had also abused the defacto complainant in filthy language. Petitioners are A2 & A3. Hence, he opposed for grant of bail to the petitioners.

4. Considering the nature, facts and circumstances of the case and A1 in this case was enlarged on bail and that material part of the investigation might have been over by this time, this Court is inclined to grant anticipatory bail to the petitioners.

5. Accordingly, 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, Sendamangalam, Namakkal District**, on condition that the petitioners shall execute separate bond for a sum of



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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 report before the respondent police everyday 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



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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].

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

18.07.2023

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