



Crl.OP.No.14952 of 2023

Dr.G. JAYACHANDRAN, J.

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The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 143, 341, 283, 294(b), 353 and 506(i) of IPC in Crime No.222 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. On 20.06.2023, when the State Minister visited Tiruvarur for a public function, the petitioner and other villagers have protested and blocked the road to draw the attention of the Chief Minister, for the inaction on the part of the police for not acting upon properly in a case registered under Section 174 of Cr.P.C. for suspicious death. Since the act of protest has caused public nuisance, disturbance and restrain, a case for the offence under Sections 143, 341, 283, 294(b), 353 and 506(i) of IPC was registered against Raja S/o Ponnusamy and 12 others. The said Raja is before us seeking anticipatory bail.

3. Learned counsel for the petitioner's contention is that, to draw the attention of the Minister that the police are not acting properly in investigating the suspicious death case, they made a peaceful protest and there was no wrongful restrain or disturbance to the public peace and order.



However, Village Administrative Officer has given this complaint and based on that complaint, the police are after the petitioner.

4. The learned Government Advocate (Crl.side) states that the petitioner has led the protest group and without prior permission and announcement, they suddenly blocked the traffic and therefore, there was disturbance to the public peace. When the police requested them to disperse, they threatened to burn them alive and used abusive language, preventing the public servant from discharging their lawful duty.

5. Considering the nature of the complaint and the circumstance under which the incident has taken place, this Court is of the opinion that the petitioner may be granted anticipatory bail with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the *learned Judicial Magistrate No.II, Mannargudi*, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:



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(a) the petitioner 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;

(b) the petitioner shall stay at Mayiladuthurai and report before the Inspector of Police, Mayiladuthurai Police Station, daily at 10.00 a.m., until further orders ;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner is 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

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

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