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Crl.O.P.No.14785 of 2023

Crl.O.P.No.14785 of 2023
and Crl.O.P.No.14787 of 2023

G.CHANDRASEKHARAN. J.,

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences under Section 341, 294 (b), 353, 506 (i) I.P.C. in Crime No.544 of 2023 on the file of the respondent police, seek anticipatory bail.

2.It is the submission of learned counsel for the petitioners that petitioner/Naresh Kumar is an accused in Cr.No.19 of 2023 and the allegations made in the First Information Report in Cr.No.544 of 2023 are that when the Police party had come for arresting Naresh Kumar, in connection with Cr.No.19 of 2023, CCB, Avadi, petitioners in Crl.O.P.No.14787 of 2023 prevented Police from arresting him, abused them etc. It is the submission that allegation made in the First Information Report are totally false. In fact, Naresh Kumar was arrested on the same date and was remanded to judicial custody. He was also released on bail in Cr.No.19 of 2023. Apprehending arrest in Cr.No.544



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of 2023, this petition is filed for anticipatory bail.
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3.The learned Government Advocate (Criminal side) opposed this petition on the ground that petitioners had prevented the Police from arresting Naresh Kumar, used abusive language and made criminal intimidation.

4.Considered the submissions and perused the records

5.It is seen from the submission of learned counsel appearing for parties that petitioner/Naresh Kumar was arrested on the same day, (i.e on 11.06.2023). He was also released in Cr.No.19 of 2023. In the nature and facts and circumstances of the case, and that the other petitioners in Crl.O.P.No.14787 of 2023 are close relatives of petitioner/Naresh Kumar and that the witnesses in this case are almost Police officials, this Court is of the view that custodial interrogation of the petitioners is not necessary. In such circumstances, petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of



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fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate II, Ponneri**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- each (Rupees Ten Thousand only) each 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 in all working days 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 petitioners in accordance with law as if the conditions have been imposed



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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].

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

07.07.2023

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