



Crl.O.P.No.15320 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 341, 294(b), 323, 427, 506(ii) IPC in Crime No.303 of 2023 on the file of the respondent police, seek anticipatory bail.

2. Learned counsel for the petitioners submitted that, petitioners are falsely implicated in this case in Crime No.303 of 2023 for the offences under 341, 294(b), 323, 427, 506(ii) IPC, in connection with business rivalry. Apprehending arrest at the hands of the respondent, this petition is filed.

3. Learned Government Advocate (Criminal side), opposes this petition, on the ground that, defacto complainant is working as a supervisor in the Government sand quarry, Maadhrivelur. On 13.06.2023, when his company lorries bearing Nos. TN 55 BK 1360 and TN 45 CA 8933 were loading sand, the accused had blocked the lorries and scolded the drivers in filthy language and made death threat and broken the glass window of the



Crl.O.P.No.15320 of 2023

lorries. Both the drivers were attacked and suffered injuries. They were treated as out-patients and discharged from the hospital. Thus, he prays for dismissal of this petition.

4. Considering the nature of allegations made against the petitioners and that the injured had been discharged from the hospital and that the material part of the investigation might have been over by this time, this Court is of the view that, custodial interrogation of the petitioners is not necessary and the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate Court, Sirkazhi**, on condition that the petitioners shall execute separate bonds for a sum of **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



CrI.O.P.No.15320 of 2023

and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners without prejudice to their defence shall deposit a sum of Rs.10,000/-(Rupees Ten Thousand only), to the credit of the Crime No.303 of 2023 before the Judicial Magistrate Court, Sirkazhi. On such deposit, learned Magistrate is directed to use the amount under Section 357 of Cr.P.C for awarding victim compensation; Payment of this amount will not amount to admission of guilt of the petitioners.

[c] the petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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 released on



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Crl.O.P.No.15320 of 2023

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].

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

13.07.2023

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CrI.O.P.No.15320 of 2023

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CrI.O.P.No.15320 of 2023

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