



Crl.O.P.No.17030 of 2023

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G.CHANDRASEKHARAN. J.

The petitioners namely N.Saravanan @ Saravanabavantham and D.Ravi @ Ravichandran, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 427 and 506(2) IPC in Crime No.589 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. 589 of 2023 for the offences under Sections 294(b), 427 and 506(2) IPC. Petitioners are innocents. 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 the Manager of Krishnapattu Readymade Sarees. There is a dispute between defacto complainant's shop owner and owner of Satheeshwari lodge, with regard to a pathway. On 20.07.2023, the accused along with his staff members had broken the advertisement board of the defacto complainant. They



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have also made criminal intimidation. Thus, he prays for dismissal of this petition.

4. When this Court enquired, as to the value of the damaged caused to the advertisement board, learned Government Advocate submitted that, the value comes around Rs.5,000/-.

5. Considering the nature of the offence and that 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 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 Judicial Magistrate Court, Thiruthuraipoondi**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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



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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 without prejudice to his defence shall deposit a sum of Rs.2,500/- each, to the credit of the Crime No.589 of 2023 before the Judicial Magistrate Court, Thiruthuraipoondi. On such deposit, learned Magistrate is directed to use the amount for awarding victim compensation under Section 357 of Cr.P.C; 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.



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[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 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.

03.08.2023

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