



Crl.O.P.No.22984 of 2023

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C.V.KARTHIKEYAN,J.

The petitioners seek anticipatory bail in Crime No.141 of 2023 registered by the respondent police for the offences punishable under Sections 448, 294(b), 506(ii) of IPC r/w Section 3(1) of TNPPDL Act.

2. It is stated that owing to previous enmity the petitioners along with other accused had entered into the Photo Studio/KGM Madhan Photo Studio belonging to the defacto complainant and damaged articles like Computer, Camera and LED TV worth about Rs.2,00,000/-.

3. The learned counsel for the petitioner submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that due to previous enmity a false case has been foisted against the petitioners. He also submitted that the petitioners are ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) for the respondent stated that due to previous enmity, the petitioners along with other accused entered into the defacto complainant's Photo Studio and damaged articles to the tune of Rs.2,00,000/-. He further stated that A1 to A3 had been arrested and released on bail. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. In view of the circumstances and also taking into consideration the fact that co-accused have been granted bail, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

6. Accordingly, **the petitioners shall deposit a sum of Rs.25,000/- each to the credit of Crime No.141 of 2023 before the Judicial Magistrate, within a period of two weeks from the date of receipt of a copy of this order and the Judicial Magistrate concerned may hand over that particular amount to the defacto complainant.** On such deposit, the petitioners are ordered to be released on bail in the



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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 **District Munsif cum Judicial Magistrate, Uthukottai**, on condition that the petitioners shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties 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.



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[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 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.

06.10.2023

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