



Crl.O.P.No.24573 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 341 and 353 of IPC in Crime No.190 of 2023, seek anticipatory bail.

2.It is stated that on 02.08.2023 the petitioners herein had presented documents for partition before the Sub-Registrar at Gangavalli Taluk, Salem District and sought priority for execution of Partition Deed. However, the Sub-Registrar appears to have returned the same for some corrections. It is alleged that on 03.08.2023 all the petitioners herein had conducted 'Dharna' inside the office of the Sub-Registrar.

3.It is also stated on the side of the respondent that the entire work was stalled in the office of the Sub-Registrar on that day.

4.But however, taking all the factors into consideration, that it was an official duty which had to be discharged by the Sub-Registrar and that duty should be the first priority for any public servant, anticipatory bail is granted to the petitioners with certain conditions.



Crl.O.P.No.24573 of 2023

5. Accordingly, the 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 learned Judicial Magistrate - II, Attur, Salem District, on condition that each one of the petitioner shall execute a separate 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 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 1st, 2nd and 4th petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation and the 3rd, 5th and 6th petitioners shall report before the respondent police weekly once i.e., on Monday of every week for a period of two weeks and thereafter as



Crl.O.P.No.24573 of 2023

WEB COPY

and when required for interrogation.

[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 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.

31.10.2023

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Crl.O.P.No.24573 of 2023

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Crl.O.P.No.24573 of 2023

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