



Crl.O.P.No.24784 of 2023

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R.KALAIMATHI, J.

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 352 & 506(i) of IPC in Crime No.231 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the 1st petitioner is working as Clerk in Thillaividangan Panchayat, Parangipettai Union, Cuddalore District. The 2nd petitioner is the wife of 1st petitioner and she is a Ward Member of Thatthcakadu Panchayat, Parangipettei Union, Cuddalore District. Due to a dispute with regard to misappropriation of panchayat funds, the petitioners on 18.10.2023 at 11.30 a.m., came to the office of the defacto-complainant and abused him in filthy language and the 1st petitioner assaulted him on his face and also threatened the defacto-complainant with dire consequences. Hence, the complaint.



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3. The learned counsel for the petitioner stated that date of occurrence was on 18.10.2023, but the complaint was lodged only on 20.10.2023. These petitioners have not committed any offence as alleged by the complainant. He would further state that these petitioners are innocent persons, they are no way connected with the said alleged offences. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate appearing for the respondent police submitted that these petitioners have scolded the defacto-complainant and slapped on his face and threatened the defacto-complainant. Hence, he vehemently opposed to grant anticipatory bail.

5. Taking into consideration of the above facts, this Court is inclined to grant anticipatory bail to the petitioners herein with certain conditions.



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6. 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 **District Munsif cum Judicial Magistrate, Parangipettai** on condition that the petitioners 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 petitioners shall appear before the respondent police daily 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.

26.10.2023

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