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Crl.O.P.No.25161 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A3 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 417, 505(2) IPC in Crime No.264 of 2023, seeks anticipatory bail.

2.It is stated that in a Vinayagar procession the accused persons had danced with an intention to create division between the communities, which led to lodging of complaint and registration of First Information Report.

3.The learned counsel for the petitioner stated that A1 and A2 had been arrested and had been released on bail.

4.Taking into consideration the facts and circumstance of the case, this Court is inclined to grant anticipatory bail to the petitioner herein with certain conditions.

5. Accordingly, the petitioner is 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 learned Judicial Magistrate – III, Vellore Taluk and District, on condition that the



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petitioner shall execute a 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 petitioner 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 petitioner 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.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on



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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.

02.11.2023

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