



Crl.O.P.Nos.26149 & 26650 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/A2 & A3 have filed the present petitions seeking anticipatory bail in Crime No.805 of 2023, registered under Sections 419, 385 & 506 (i) IPC.

2.The learned counsel for the petitioners stated that the petitioners are innocent persons and they have been falsely implicated in this case. Thus, he prays for grant of anticipatory bail to the petitioners.

3.It is the case of the prosecution that all the accused persons were threatening the defacto complainant, the Public Relation Officer, Collector Office, Kallakurichi, that they would give false information about the Government Officials, Adi Dravidar Welfare Office. Earlier anticipatory bail application of A3 had been dismissed on 31.10.2023. One change in circumstances is that A2 has also filed anticipatory bail application, which means he has come before the judicial process and A1 had been granted bail by the learned Judicial Magistrate I, Kallakurichi in Crl.M.P.No.1787 of 2023, by an order dated 26.10.2023.



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4.Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioners. 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 **Judicial Magistrate-I, Kallakurichi**, 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 report before the respondent police everyday at 10.00 a.m., until further orders.



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[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.

01.12.2023

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