



CrI.O.P.Nos.32227, 32228, 32229, 32226 of 2022

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Section 505 (1)(b) of IPC in Cr.Nos.280, 281, 282 & 283 of 2019 on the file of the respondent police, seeks anticipatory bail.

Since the issue involved in all these CrI.O.ps are one and the same, they had taken together.

2.The case of the prosecution is that four complaints came to be registered against this accused alleging that he has been running a publication by name (Manithan) from his residence and thereby publishing various books from time to time. According to the complainant, four in number, this petitioner, with an intention to drag the students in terrorism, had been publishing various books in support of "Maoist" and distributing those books to the Annamalai University students at various places namely Annamalai Post Office; near Booma Temple; near Railway bridge; Muthaiya Polytechnic; near Rajendran statue. Hence, these complaints.



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3.The learned counsel appearing for the petitioner would submit that the allegation against him is that on 13.11.2019 he circulated the literature of "Mao" an attempted to enlist the students to join Maoist party by publishing book. According to the learned counsel, this petitioner is an innocent and has not committed any offence as alleged by the prosecution. He would vehemently contend that the alleged incident, even according to the prosecution took place on 13.11.2019 and the prosecution after three years, he is unlawful and barred by limitation. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) would submit that as the complaint came to be lodged, the Authorities had registered FIR and on proceeding with investigation now. He further submitted that there is eight previous cases pending as against the petitioner. Hence, he opposed to grant of anticipatory bail to the petitioner.

5. Considering the fact that alleged occurrence took place in the year 2019, this Court is inclined to grant anticipatory bail to the petitioner.



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6. 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 of receipt of a copy of this order, before the learned **Judicial Magistrate-I, Chidambaram**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)**, with **two sureties out of which, one surety must be a blood surety** 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 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 Court concerned 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 months and thereafter, as and when required for interrogation;**

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;



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(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 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]*; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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