



Crl.OP.No.384 of 2024

Crl.O.P.No.384 of 2024

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C.V.KARTHIKEYAN,J.

The petitioners/A1, A2 A3 seek anticipatory bail in Crime No.404 of 2023 registered by the respondent police for the offences punishable under Sections 294(b), 353 and 427 of IPC.

2. It is stated that the three petitioners, under the influence of alcohol sat on the top of a car in the middle of the road. When the respondent police party came there and questioned. They picked up a verbal quarrel. The first petitioner/A1 had snatched the mobile phone from the respondent and had also broken it. The entire incident had also been videographed.

3. Counter also been filed about this particular fact. It is stated that the first petitioner is also involved in a similar case of assaulting a police officer in which in Cr.No.773 of 2020 had been registered under Sections 294(b), 353 and 506(i) of IPC.



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4. In view of that particular fact, this Court is not inclined to grant anticipatory bail to the first petitioner/A1, but grant anticipatory bail to the second and third petitioners/A2 and A3 subject to the following conditions:

5. Accordingly, the the second and third petitioners//A2 and A3 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, Coimbatore* on condition that the the second and third petitioners shall execute separate bonds for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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:



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[a] the second and third petitioners/A2 and A3 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 second and third petitioners/A2 and A3 shall report before the respondent police every day at 10.30 a.m until further orders.

[c] the second and third petitioners/A2 and A3 shall not tamper with evidence or witness either during investigation or trial.

[d] the the second and third petitioners/A2 and A3 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 second and third petitioners/A2 and A3 in accordance with law as if the conditions have been imposed and the the second and third petitioners/A2 and A3 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]**.



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

6. With the above directions, this Criminal Original Petition in respect of the first petitioner/A1 stands dismissed. The Criminal Original Petition in respect of the second and third petitioners /A2 and A3 stands ordered.

24.01.2024

Vv



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