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Crl.O.P.No.5616 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/A1 who apprehends arrest at the hands of the respondent police for the alleged offences under Section 294(b), 353 and 506(2) of IPC and Section 7(1)(a) of Criminal Law Amendment Act 2005 and Section 27(1) of Arms Act 1959 registered in Crime No.3 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner stated that A2 and A3 had been arrested and granted bail.

3. It is the case of the prosecution that the accused unlawfully assembled in the middle of the road and threatened the public with deadly weapons like Patta Kathi. It is stated that when the respondent police came over there, they also threatened the respondent police. The learned counsel for the petitioner stated that the petitioner has been falsely implicated in this case, and he did not threaten the general public. He is a college student.



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4. The earlier application seeking anticipatory bail was dismissed on 31.01.2024 in Crl.O.P.No.1585 of 2024. As noted, A2 and A3 had been granted bail.

5. However, taking all the other factors into consideration this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is 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, Tiruthani**, on condition that the petitioner shall execute a bond 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:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and



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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 everyday at 5.30 p.m., until further orders.

[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 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.

08.03.2024



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