



Crl.O.P.No.3891 of 2024

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C.V.KARTHIKEYAN, J.

The Petitioner/A2 and incidentally wife of the Accused A1 has filed the present petition seeking anticipatory bail in Crime No.14 of 2024 registered by the respondent police for the offences under Sections 147, 148, 294(b), 448, 506(2), 295, 298, 153A and 505(1)(b) IPC.

2. The Petitioner should never have invited the registration of this FIR or the earlier FIR in Crime No.7 of 2024, which was registered under Sections 447, 427 and 506(1) IPC against her or against the Accused A1.

3. The learned Government Advocate (Criminal Side) stated that the Accused persons had trespassed into the school premises, namely, RC Primary School belonging to Thiruvallanthurai Church and had dug the school premises using a JCB and generally, had created a problem which instituted the respondent to register the present FIR. It would be interesting to see if the house of the petitioner is forcibly entered into by third persons riding a JCB and causing damages to the house, what her reaction would be for such an incident.



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4. The Petitioner had filed an affidavit and in that said affidavit, it had been stated as follows :

“4. I submit that I have not acted in any manner affecting the religious sentiments and in any way disturbing the unity between different religions and I further undertake that herein after I will not act in the manner of disturbing the unity between different religions and in the manner of affecting the religious sentiments.

5. I submit that I haven't claimed possession of the premises of the defacto complainant at any point of time and I hereby undertake that I will not claim any portion of the property belonging to the defacto complainant in future.”

5. The statement above is recorded but it would only be appropriate that the Petitioner shall also apologize to the defacto complainant and state that she will not indulge in any such activity again in that institution and that is an aspect, which shall be ensured to be done by the learned Judicial Magistrate, Veppanthattai in Perambalur District.



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6. Taking an overall view of these facts, this Court is inclined to grant anticipatory bail to the Petitioner subject to the following conditions. Accordingly, the Petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate, Veppanthattai**, on condition that the 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 conditions 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., till such apology is recorded by the learned Judicial Magistrate, Veppanthattai.



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[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 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.

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