



Crl.O.P.No.5541 of 2024

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 452, 294(b), 323, 324, 506(1) of IPC in Crime No.36 of 2024, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that, during a prayer meeting at Carmel Prayer House, the petitioners along with other accused scolded Pastor Jayakumar in filthy language. A 15 minute video recording of the assault was taken, and the petitioners along with other accused attacked the devotees with various criminal activities, threatened them and attempted murder. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and due to a wordy quarrel between the petitioners and the defacto complainant, in order to grab the church and other valuables, they have been falsely implicated in this case. He further submits



Crl.O.P.No.5541 of 2024

that there is already a civil suit before the II Assistant City Civil Court at Chennai, which is pending. Therefore, he prays to grant anticipatory bail to the petitioners.

4. Learned counsel for the intervenor raised objection stating with manipulative intention they entered into the church and attacked each other. He further submits that the civil suit is pending before them. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that due to a wordy quarrel between the petitioners and the defacto complainant in order to grab the church valuable, the petitioners attacked the the devotees with various criminal activities, threatened them and attempted murder. He further submits that the injured has been discharged from the hospital. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.



Crl.O.P.No.5541 of 2024

WEB COPY

6. Taking into consideration the facts and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned IX Metropolitan Magistrate, Saidapet, Chennai*, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 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 Court concerned 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 on every Sunday at 10.30 a.m., for a period of three months;



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Crl.O.P.No.5541 of 2024

T.V.THAMILSELVI, J.

drl

[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 petitioner in accordance with law as if the conditions has been imposed and the petitioner is 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;

03.04.2024

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Crl.O.P.No.5541 of 2024
(2/2)