



CrI.O.P.No.6311 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/accused seek anticipatory bail in Crime No.43 of 2024 registered by the respondent police for the offences punishable under Sections 147, 148, 353, 332, 294(b) and 506(ii) of IPC r/w Section 3(1) of Tamil Nadu Public Property(Prevention of Damage and Loss) Act, 1992.

2.It is stated that originally FIR in Crime No.42 of 2024 had been registered on a complaint given by these petitioners about an objectionable post put up in the social media attacking the status of the community to which these petitioners belong. Subsequently, these petitioners had taken the law in their own hands and committed rioting in which the present FIR in Crime No.43 of 2024 had been registered. During the course of that rioting, they had damaged one ATM Machine and assaulted one Police Officer. For good measure, the other party had also indulged in rioting, for which FIR in Crime No.44 of 2024 had been registered.

3. Learned counsel for the petitioners stated that these petitioners are innocent and that bail had been granted for those who had been arrested.



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4. The earlier application seeking anticipatory bail was dismissed on 21.02.2024 in CrI.O.P.No.3472 of 2024. At the time, it was held that the area was still tense and therefore, anticipatory bail was dismissed.

5. The learned counsel for the petitioners drew attention of this Court to the observation of the learned Principal Sessions Judge at Salem, wherein, it had been observed that there was no tension in the area and police picketing had already been removed. That is a significant change in circumstances. This Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners 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 Court-I, Attur**, on condition that the petitioners shall execute a separate 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners shall report before the Inspector of Police, B-2, Vishnukanchi Police Station, Kanchipuram District everyday at 10.30 a.m., for a period of three weeks and thereafter, shall report before the respondent police everyday at 10.30 a.m., until further orders.

[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 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]**.

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

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