



Crl.O.P.No.7065 of 2024

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C.V.KARTHIKEYAN, J.

The petitioners/A1, A2 and A4 seek anticipatory bail in Crime No.132 of 2024 registered by the respondent Police for the offences punishable under Sections 294(b), 323, 324, 355 & 506(2) of IPC.

2. The third petitioner is said to be the ward councillor of 7th ward at Dharmapuri. The second petitioner is the father of the first petitioner and the first petitioner is the husband of the third petitioner. There is one more accused who is the son of the third petitioner.

3. It is stated that the third petitioner who claimed to be the ward councillor of the 7th ward at Salem and the ruler of that particular ward, had objected to putting up street lights in the boundary of that particular ward and the adjacent ward. I am not able to understand the logic behind, such objection being raised, because the street lights would fall also on the place of the 7th ward where the third petitioner is the councillor. That would only benefit the resident of that particular area. Ultimately, today all these petitioners and the son of the third petitioner are branded as accused.



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4. It is also stated that the street lights were put up without proper tender. It was not for the third petitioner to question about the particular fact unless she wants to gain money by raising all these aspects.

5. The respondent, or whoever is the authority to put up street lights are permitted now, by this order to put up the street lights. If there is further objection by these petitioners, then, the respondent can seek cancellation of this order. This order is granted on the condition that these petitioners would not object to putting up the street lights. Affidavits may be filed at the time of executing the sureties.

6. However, taking all the other factors into consideration 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-I, Dharmapuri**, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand



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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 the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the first and third petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation and the second petitioner shall report as and when required for interrogation.

[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



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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.

22.03.2024



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