



Crl.O.P.No.11239 of 2024

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K.KUMARESH BABU, J.

The petitioners, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323, 353, 506(i) of IPC in Crime No.48 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is working as Junior Engineer in the Highways Department and also incharge of supervising the contract work in Arakkonam between the Arakkonam Road to Karikal Road. On 26.03.2024 at about 19.00 hrs the petitioners had agitated the work processes done by the defacto complainant officers on road side. At that time, the petitioner prevented the defacto complainant in discharging official duty and had a wordy quarrel between them and also caused life threat to the defacto complainant in filthy language. Hence the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that there was some wordy quarrel between the petitioner and the defacto complainant. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of all the factors, anticipatory bail is granted to the petitioners with certain conditions.

6. 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, Sholingur*, on condition that the petitioners 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 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



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of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police everyday at 10.00 a.m., for a period of two weeks and thereafter, 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 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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