



Crl.O.P.No.12073 of 2024

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S.SOUNTHAR, J.

The petitioners herein seek anticipatory bail in Crime No.300 of 2024 registered by the respondent Police for the offences under Sections 34, 294(b), 323, 506(ii) IPC r/w Section 3 of the Public Property (Prevention of Damages and Loss) Act, 1992.

2. The case of the prosecution is that on 27.04.2024, the petitioners damaged the compound wall of the defacto complainant. They also abused him in filthy language and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners stated that the petitioners are innocent persons and they have been falsely implicated in the case. He submitted that A2, A5, A7 and A12 were already granted anticipatory bail. Thus, he seeks anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) stated that, the petitioners damaged the compound wall of the defacto complainant and also abused him in filthy language and threatened him with dire consequences.



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Hence, he prays for dismissal of this petition.

5. Having regard to the nature of the allegations made against the petitioners and also the fact that some of the co-accused were granted anticipatory bail, I am inclined to grant anticipatory bail 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 No.1, Thirupathur** on condition that the petitioners shall execute separate 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 of their Aadhar card or Bank pass Book to ensure their identity.



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[b] the petitioners shall report before the respondent police everyday at 10.30.a.m., for a period of two weeks.

[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;

29.05.2024

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