



Crl.O.P.No.16407 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 296(b), 115 and 351 of the Bharatiya Nyaya Sanhita in Crime No.288 of 2024, seek anticipatory bail.

2. Learned counsel appearing for the petitioners submitted that the petitioners have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that, on the alleged occurrence, the petitioners went to the tea shop of the defacto complainant and demanded protection money, when it was refused, the petitioners assaulted the defacto complainant and ransack the teap shop. He further submitted that the first petitioner has five



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previous cases and the second petitioner has four previous cases, pending against them. However, he vehemently opposed for the grant of anticipatory bail to the petitioners.

4. Taking into consideration the facts and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. 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 Judicial Magistrate Court No.I, Tirupattur***, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties (out of which, one surety must be a blood related surety), 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 shall deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only) jointly, to the**



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credit of Crime No.288 of 2024 before the concerned Magistrate within a period of two weeks from the date of receipt of a copy of this order and on such deposit, the de-facto complainant is permitted to withdraw the same, on filing undertaking affidavit and proper identification and acknowledgment."

(b) 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;

(c) the petitioners shall report before the respondent police on every alternate days at 10.30 a.m, for a period of eight weeks;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;

[f] 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



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down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

12.07.2024

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