



Crl.O.P.No.19927 of 2024

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P.DHANABAL,J.

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The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 189(2) and 132 of B.N.S., in Crime No.221 of 2024, on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that on 04.08.2024, the defacto complainant who is a Grade II Police Constable of the respondent police station was on duty, the 1st accused who is the District General Secretary of a political party, along with 100 party members, gathered unlawfully and attempted to enter into the campus of the respondent police station carrying their party's flag and also raised slogans demanding the release of one Kabilan who was arrested by the respondent police in Crime No.220 of 2024. Hence, this case.

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

4. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed for the grant of the anticipatory bail to the



petitioners stating that the petitioners along with about 95 other accused, gathered unlawfully and attempted to enter into the campus of the respondent police station carrying their party's flag and agitated for the release of one Kabilan who is the District President of their party and who was arrested by the respondent police in Crime No.220 of 2024 and thus, restrained the respondent police from discharging their duty. He further submitted that insofar as the petitioners 1, 2 4 are concerned, there is no previous case against those petitioners. Insofar as the 3rd petitioner is concerned, he has got one previous case.

5. Considering the submissions of both sides, the nature of offence and also considering the fact that there is no previous case against the petitioners 1, 2 and 4 and though there is one previous case against the 3rd petitioner, he has been released on bail in the said case, this Court is 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 (15) days from the date of receipt of a copy of this order before the **learned V Metropolitan Magistrate, Egmore, Chennai**, on condition that the petitioners shall execute a 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 and on further condition that:

[a] the petitioners shall report before the respondent police on every Saturday at 10.30 a.m. for a period of four weeks and thereafter, as and when required for interrogation.

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

[c] the petitioners shall not abscond either during investigation or trial.

[d] 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 v. State of Kerala [(2005) AIR SCW 5560].

[e] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of the B.N.S.

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