



Crl.O.P. No.20497 of 2024

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P. DHANABAL.J.,

The petitioners apprehend arrest for the alleged offences under Sections 143, 147, 323, 341, 352, 353, 354 of IPC and Sec.4 of TamilNadu Prohibition of Harassment of Women Act, 2002 in Crime No.68 of 2024, on the file of the respondent police seek anticipatory bail.

2.The case of the prosecution is that two various political parties are came to file their nomination for parliament election, at that time two parties were raised slogans in favour of their own party. Hence, both the party members were started quarreling each other and later it turned as riot. Both the parties were unlawfully assembled and created disturbance to the public. Hence the case.

3. The learned counsel for the petitioners would contend that the petitioners are not involved in the said offence. There is no previous case as against these petitioners. These petitioners are innocent persons and they have not indulged in any illegal activities as alleged by the prosecution and they have been falsely implicated in this case by the respondent police and hence he seeks anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) would submit that at the time of filing nomination for parliament election, two various political parties are raised slogans in favour of their own party and the said act was turned into riot. Some of the members were sustained injury and they are admitted in hospital, now they are discharged from hospital. The members of the political parties are unlawfully assembled and created disturbance to public. There is no previous case as against these petitioners. However, the learned Government Advocate (Criminal Side) vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard both side and perused the materials available on record.

6. Considering the rival submissions on either side, considering the fact that the dispute occurred between the two political parties, injured persons were already discharged from hospital, no previous case is pending against the petitioners and considering the date of FIR and other aspects, this court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on anticipatory 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,



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before the learned **Judicial Magistrate, Ooty** 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 learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the concerned jurisdiction Magistrate on every Monday at 10.30a.m. for the period of 4 weeks;

[b] the petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

[c] the petitioners shall not leave India without the prior permission of the Court.

[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



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[(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S. 2023.

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