



WEB COPY



Crl.O.P.No.28077 of 2023

Crl.O.P.No.28077 of 2023

C.V.KARTHIKEYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 506(ii) of I.P.C in Crime No.347 of 2023, seek anticipatory bail.

2. It is stated that the first petitioner had sent derogatory whatsapp messages from the cell phone No.9884470047 against the defacto complainant. The defacto complainant is a Joint Secretary in Tamil Nadu Minority Welfare Department at Coimbatore.

3. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

4. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.V, Coimbatore** on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with two sureties each for a like sum to the



Crl.O.P.No.28077 of 2023

satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of this Court 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.

[b] Both the petitioners should independently file an affidavit that they will not sent any such messages of the same nature or of similar nature against the defacto complainant or any body else connected with the Tamil Nadu Minority Welfare Department at Coimbatore, not only in Coimbatore district and every other district. They must also express apology for the incident.

[c] the petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders.

[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



Crl.O.P.No.28077 of 2023

petitioners in accordance with law as if the conditions have been imposed and the petitioner 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.

03.01.2024

smn



WEB COPY



Crl.O.P.No.28077 of 2023

C.V.KARTHIKEYAN, J.

smn

Crl.O.P.No.28077 of 2023

03.01.2024