



Crl.O.P.No.16730 of 2022

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WEB C **N.SATHISH KUMAR,J.**

The petitioner, who apprehends arrest for the alleged offences under **Sections 141, 147, 148, 324 and 506(ii) IPC**, in Crime No.192 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Ex-District (South Chennai) Secretary of AIADMK. On 11.07.2022, the defacto complainant on hearing the information that Thiru.O.Paneer Selvam is arriving to party Head Office, he was waiting near AIADMK Head Office. At that time some of the persons who came out from the Party Head Office, made attack on the supporters of Thiru.O.Paneer Selvam with stones, bottles and deadly weapons during which, the defacto complainant also sustained injuries. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner have been falsely implicated in this case. In fact the petitioner is the victim of the attack committed and the petitioner never involved in the



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alleged crime and that he has been falsely roped in this case since, he was also present in the party office at the time of said chaos. However, he would submit that the petitioner in order to show his bonafide, is ready to pay a substantial amount to any charitable institute as may be directed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police would submit that the petitioner along with others involved in the said chaos. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent police.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;



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7. Accordingly, the petitioner is directed to pay a sum of **Rs.20,000/- (Rupees Twenty Thousand only)**, as non-refundable deposit through DD/RTGS/NEFT in favour of the **Cancer Institute (WIA) (Regional Cancer Centre), Adyar, Chennai – 600020, bearing A/c.No.149710011005477, Andhra Bank, Madhya Kailash Branch**. On such payment and production of proof of receipt, the petitioner is 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 is made ready, before the **learned XVIII Metropolitan Magistrate, Saidapet, Chennai-600 015**, on conditions that the petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty 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 be dismissed and on further condition that:



(a) the petitioner 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;

(b) the petitioner shall report before the CBCID, Chennai, daily at 10.30 a.m. until further orders and co-operate for the investigation. It is made clear that the Inspector of Police, CBCID, may examine the accused for discovery of any facts.

[c] The petitioner shall pay a sum of Rs.20,000/- (Rupees Twenty Thousand only), as non-refundable deposit through DD/RTGS/NEFT in favour of the Cancer Institute (WIA) (Regional Cancer Centre), Adyar, Chennai – 600020, to enable the Dean to use the aforesaid amount for the purpose of treating the Cancer influenced patients and that the receipt of such payment shall be produced before the concerned Magistrate at the time of executing the bond.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;



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(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 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]***; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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