



Crl.O.P.No.21382 of 2022

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**G.K.ILANTHIRAIYAN, J.**

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 341, 324, 336 and 353 of IPC and Section 3 of Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992, in Crime No.190 of 2022, seek anticipatory bail.

2. The case of the prosecution is that on 11.07.2022, there was a chaos in the ADMK party office, between the two teams. It is further alleged that due to the chaos between two teams, they were fight with each other by throwing stones and bottles, thereby creating public nuisance and also caused damages to the public properties. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the co-accused were already grant anticipatory bail by this Court and the



Crl.O.P.No.21382 of 2022

petitioners are also on the same footing. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioners are involved in the above incident and damaged the public properties. Hence he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case, this Court feels that the custodial interrogation of the petitioners does not require in this case. Therefore, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners shall deposit a sum of Rs.20,000/- (Rupees twenty thousand only) each, by way of Demand Draft to the **Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram**, and on such deposit the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a



CrI.O.P.No.21382 of 2022

period of fifteen days from the date on which the order copy made ready, before the learned XVIII Metropolitan Magistrate, Saidapet, 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, 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] the petitioners shall deposit a sum of Rs.20,000/- (Rupees twenty thousand only) each by way of Demand Draft to the **Arignar Anna Memorial Cancer Hospital & Research Institute, Kancheepuram.**

[c] the petitioners shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[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.



Crl.O.P.No.21382 of 2022

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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 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 [(2005)AIR SCW 5560]**.

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

08.09.2022

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Crl.O.P.No.21382 of 2022

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