



Crl.O.P.No.20174 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 341, 294(b), 323, 353, 506(i) IPC and Section 3(1) of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992 in Crime No.315 of 2022, seek anticipatory bail.

2. There are totally three accused in this case. The defacto complainant is working as driver in the Tamilnadu Government Transport Corporation. The petitioners are alleged to have waylaid the bus, drove by the defacto complainant and picked up quarrel with him and also damaged the mirror of the bus. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioner are innocent persons and they have not committed any offence as alleged by the prosecution. He further submit that the said complaint given by the defacto complainant is a counter blast to the complaint



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given by the wife of the first petitioner. However, on instructions, he would submit that the petitioners are ready to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) jointly to the credit of crime No.315 of 2022. Therefore, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners have waylaid the defacto complainant and picked up quarrel with him and also they damaged the window of the bus, worth about Rs.2,000/-. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) jointly to the credit of crime



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No.315 of 2022, within a period of two weeks from the date on which the order copy made ready, and on such deposit the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Arani on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each, 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.10,000/- (Rupees Ten Thousand Only) jointly to the credit of crime No.315 of 2022, before the concerned Magistrate, within a period of two weeks from the date on which the order copy made ready.



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[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioners shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

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

[g] 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]**.

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

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