



Crl.O.P.No.24730 of 2022

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WEB C **G.CHANDRASEKHARAN. J.,**

This is a petition filed seeking enlargement of the petitioner on bail in the event of arrest in Crime No.51 of 2022. This is third anticipatory bail application. Earlier two applications resulted in dismissal.

2.The learned counsel for the petitioner submitted that petitioner is the owner of vehicle bearing No.KA 51 AB 5556 and he is no way involved in the offence. His vehicle was used in the alleged commission of offence without his knowledge. Therefore, he seeks anticipatory bail. He further submitted that third accused/Ashir Raj in this case was granted anticipatory bail as per the order of this Court in Crl.O.P.No.24271 of 2022 on 14.10.2022.

3.This petition is strongly opposed by the learned counsel for the respondent on the ground that petitioner is the owner of the lorry and lorry was used for the commission of the offence, with his knowledge. He is absconding somewhere in Karnataka and the respondent police is trying to nab him. Thus he prayed for dismissal of this petition.

4.Considered rival submissions.



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5.It is seen from the records that the First Information Report in this case was registered on 12.03.2022. Despite the dismissal of two earlier anticipatory bail petitions, it appears that the respondent police has not evinced any interest in securing the respondent and to bring the investigation to its logical conclusion. Investigation should have been over by this time. Thus, considering the facts and circumstances of this case, this Court is inclined to grant anticipatory bail to the petitioner on certain conditions.

6. Accordingly, the petitioner shall deposit a sum of **Rs.1,00,000/-** (Rupees One Lakh only) as non refundable deposit to the credit of the **RAY OF LIGHT FOUNDATION; A/c No : 50100078904233; IFSC code : HDFC0001864; No.10, Nageswara Road, Nungambakkam, Chennai, Tamil Nadu 600034; Ph No.8939065431** and on such deposit, 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 made ready, before the learned Judicial Magistrate Court-II, Salem, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand



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only) with **two blood related 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 petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m, and 04.30 p.m, until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 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]**.

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



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