



CrI.O.P.No.24361 of 2022

CrI.O.P.No.24361 of 2022

WEB COPY

A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 143 1 (a) of Railway Act, in Crime No.571 of 2022 on the file of the Respondent Police, seeks bail.

2.It is the case of the prosecution that the petitioner is an authorised agent for booking railway tickets. He has illegally used the personal I.D of his customer and booked the ticket. Hence the complaint.

3.Learned Counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He further submitted that due to professional rivalry he has been implicated falsely in this case. Accordingly, prays for grant of anticipatory bail.



Crl.O.P.No.24361 of 2022

WEB COPY

4.Learned Government Advocate (Crl. Side) vehemently opposed to the grant of anticipatory bail to the petitioner stating that the petitioner is an authorised agent to book railway tickets. He misused his customer's personal I.D. and booked tickets illegally. He added that the petitioner has got three previous cases against him.

5.At this juncture, the learned counsel for the petitioner submitted that all those three previous cases are pertaining to 15 years ago and there are no recent cases registered against the petitioner.

6.Taking into consideration the facts and the submissions made by the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned XX the Metropolitan Magistrate, Allikulam, Chennai-3 on condition that the



CrI.O.P.No.24361 of 2022

WEB COPY

petitioners shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 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., for a period of two weeks, thereafter report before the respondent police on every Saturday at 10.30 a.m. until further orders.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either



WEB COPY



Crl.O.P.No.24361 of 2022

during investigation or trial;

A.D.JAGADISH CHANDIRA, J.

kas

[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]**;

[g] If the accused thereafter absconds, a fresh F.I.R can be registered under Section 229A IPC;

12.10.2022

kas

Crl.O.P.No.24361 of 2022