



Crl.O.P.No.25451 of 2022

Crl.O.P.No.25451 of 2022

A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324, 353 and 506(ii) of IPC r/w Section 3 of TNPPDL Act in Crime No.229 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant Thiruvinayagamurugan is that while he was on duty as an ambulance driver, he had, on call, took the injured in a ambulance van. At that time, the accused had waylaid the ambulance van and had abused him in filthy language and also assaulted the ambulance driver and the medical attendant one Saranraj with iron rod and caused damages to the ambulance van and the windshield was broken and damages were calculated to 10,000/-. Hence the complaint.



Crl.O.P.No.25451 of 2022

WEB COPY

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and there was a dispute between the members belonging to the same party, a false complaint has been given. He would further submit there is no previous case pending against the petitioner and without prejudice, the petitioner is prepared to deposit a sum of Rs.5,000/- to the credit of the Credit No.229 of 2022 towards the alleged damage caused to the ambulance van. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the defacto complainant was on duty as an ambulance driver, he had, on call, took the injured in a ambulance van. At that time, the accused had waylaid the ambulance van, abused, assaulted the ambulance driver and the medical attendant one Saranraj with iron rod and caused damages to the ambulance van and the windshield was broken and damages were calculated to 10,000/-. He would further submit that there is no previous case pending against the



Crl.O.P.No.25451 of 2022

petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, 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 No.I, Tindivanam**, on condition that the petitioners shall execute a 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



Crl.O.P.No.25451 of 2022

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., 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.

19.10.2022

vkrr



WEB COPY



Crl.O.P.No.25451 of 2022

A.D.JAGADISH CHANDIRA, J.

vkr

Crl.O.P.No.25451 of 2022

19.10.2022