



Crl.OP.No.28344 of 2022

A.D.JAGADISH CHANDIRA, J.

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The petitioner, who apprehends arrest for the alleged offences under Sections 328, 353 and 506(i) of IPC, 20(2) and 24(i) of Cigarette and other Tobacco Products Act, 45 and 46 of TN City Police Act, 1888 in Crime No.332 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that, the petitioner under the guise of running service apartment, was running a Hookah bar and gambling den/casino. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and due to obvious reasons, a false case has been registered. The petitioner does not have any previous case as against him and he is a law abiding citizen. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner under the guise of running service apartment, was running a Hookah bar and casino. He would further submit that there is no previous case as against the petitioner. However,



there is no previous case as against the petitioner. However, he would vehemently oppose to grant anticipatory bail to the petitioner.

5. At this juncture, the learned counsel would submit that without prejudice to his rights, the petitioner is prepared to deposit a sum of Rs.25,000/- to the Government for any welfare purpose as directed by this Court.

6. Taking into consideration the facts and the submissions made the and the petitioner is ready and willing to deposit a sum of 25,000/- to the Government for any welfare purpose, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is directed to deposit a sum of Rs.25,000/- (Rupees Fifteen Thousand only) as non-refundable deposit either through RTGS/NEFT or in cash in favour of ***The Dean, Kilpauk Medical College and Hospital, Kilpauk, Chennai "Hospital Maintenance Fund" Canara Bank, Kilpauk Branch A/c.No.1650101005396, IFSC Code : - CNRB0001650 MICR Code : - 600015050*** 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 Metropolitan Magistrate-XIV,***



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Egmore, Chennai on condition that the petitioner 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 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 every day at 10.30 a.m for a period of four weeks and thereafter on every Saturday 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 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]**.

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

8. With the above directions, this Criminal Original Petition is ordered.

18.11.2022

Vv

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