



Crl.O.P.No.28861 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 323, 324, 506(ii) of IPC r/w Section 3 of TNPPDL Act, 1992 in Crime No.467 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused created ruckus with the public and the same was questioned by the defacto complainant, they have abused him in filthy language, pelted stones on him and assaulted him and also caused damages to the windshield of the car. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that the incident has happened during the quarrel and the total value for damage is calculated to Rs.10,000/- and



Crl.O.P.No.28861 of 2022

that the arrested accused has already deposited a sum of Rs.6,000/- and without prejudice the petitioner is ready and willing to deposit a sum of Rs.4,000/- to the credit of the crime No.467 of 2022 towards the alleged damage caused to the car. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner along with other accused created ruckus with the public and the same was questioned by the defacto complainant, they have abused him in filthy language, pelted stones on him and assaulted him and also caused damages to the windshield of the car. He would further submit that there is no previous case pending against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the respondent and perused the materials available on record.



CrI.O.P.No.28861 of 2022

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6.Taking into consideration the facts and circumstances of the case and also taking note of the fact that the petitioner is ready and willing to deposit Rs.4,000/- to the credit of Crime No.467 of 2022, this Court is inclined to grant bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail on condition to make a non refundable deposit of **Rs.4,000/- (Rupees Four Thousand only)** by way of Demand Draft/RTGS/NEFT to the credit of **Crime No.467 of 2022** and on such deposit and on receipt of proof of payment, 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, Gudiyatham**, 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



CrI.O.P.No.28861 of 2022

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 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 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]**.



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CrI.O.P.No.28861 of 2022

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

24.11.2022

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Crl.O.P.No.28861 of 2022

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Crl.O.P.No.28861 of 2022

24.11.2022