

**Crl.O.P.No.2982 of 2023****T.V.THAMILSELVI, J.**

The petitioner, who apprehends arrest for the alleged offence under Section 294(b), 353, 506(i) of IPC r/w. Section 12 of Gaming Act 1930 in Cr.No.919 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on the secret information, the respondent police went to the scene of occurrence and found accused persons involved in gambling. On seeing the respondent Police, some of the accused escaped from the scene of occurrence and arrested accused picked up a quarrel with the respondent Police, thereby prevented the respondent Police from discharging their duty. Hence the case.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. side) submits that the



investigation is at crucial stage and if the petitioner is granted anticipatory bail, there is a possibility that he will tamper the witnesses and hamper the investigation. He would further submit that there are seven previous case pending as against the petitioner. Hence, he opposed for granting anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the stage of investigation, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate - I, Thiruvallur** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten 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 and on further condition that:



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(a) the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of M/S The Tamil Nadu Juvenile Justice Fund, A/C No.358001000000671, IFSC: IOBA0001288, MICR: 600020073, Indian Overseas Bank, SME Kilpauk Branch, Address: No.20, Ormes Road, Kilpauk, Chennai 10.

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police on every Saturday at 10.30 a.m. for a period of six weeks.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(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



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conditions have been imposed and the petitioner released on anticipatory 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]***; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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