



Crl.O.P.No.4973 of 2023

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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 147, 148, 353 IPC and section 3(1) of TNPPDL Act in Crime No.336 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant received a message from Police Control Room that two groups were fighting near Sowbakkiya Nagar, Kosappur, Chennai -60. It is alleged that the petitioner along with other accused picked up a quarrel with the rival group with regard to the election issue and they have assembled unlawfully and prevented the defacto complainant from discharging his duty and damaged a Police GYPSY bearing Regn.No.TN-01-G-6544 by using knives and wooden logs and sprinkled chilli powder on the defacto complainant and his associates. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any such



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offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that the petitioner is ready to deposit a sum of Rs.2,000/- (Rupees Two thousand only) to the credit of Crime No.336 of 2022. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the petitioner along with other accused picked up a quarrel with the rival group with regard to election issue and they have assembled unlawfully and prevented the defacto complainant from discharging his duty and damaged a Police GYPSY bearing Regn.No.TN-01-G-6544 by using knives and wooden logs and sprinkled chilli powder on the defacto complainant and his associates. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is directed to deposit a sum of Rs.2,000/- (Rupees Two thousand only) to the credit of Crime No.336 of 2022, within a period of four weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the ***learned Judicial Magistrate, Madhavaram*** 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, failing which, the petitions 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 deposit a sum of Rs.2,000/- (Rupees Two thousand only) to the credit of Crime No.336 of 2022, before the concerned Magistrate, within a period of four weeks from the date on which the order copy made ready.



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[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall appear before the respondent police daily twice at 10.30 a.m. And 5.30 p.m., for a period of two weeks and thereafter as and when required for interrogation.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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]**.

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

15.03.2023

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