



Crl.O.P.No.9078 of 2023

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S.SOUNTHAR, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 4(1)(a)(i), 4(2), 8 & 9 of Tamil Nadu Gaming Act r/w 294(b), 353 & 506(i) of IPC in Crime No.146 of 2023, seeks anticipatory bail.

2. The petitioner along with other accused are alleged to have abused the respondent police, threatened them and restrained them from discharging their duties. Hence, a case has been registered.

3. The learned counsel for the petitioner submitted that the petitioner is the owner of the farm house and he has been falsely implicated in this case. He further submitted that the co-accused A1 to A5 were released on bail on 21.04.2023 in Crl.MP No.1669 of 2023 by the learned Principal District and Sessions Judge, Tiruvallur and hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent submitted that the petitioner along with other accused abused the respondent police, threatened them and restrained them from discharging their duties. Hence, he opposed for grant of anticipatory bail to the petitioner.



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5. Having regard to the allegations made against the petitioner in the FIR and the fact that the co-accused were already released on bail, 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, Gummidipoondi, Tiruvallur**, 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 conditions 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 two weeks and thereafter, as and when required.**

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



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[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.

7. This Criminal Original Petition is ordered with the above directions.

04.05.2023

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