



Crl.O.P.No.12118 of 2023

Crl.O.P.No.12118 of 2023

WEB COPY

A.D.JAGADISH CHANDIRA,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 506(i), 427, 379 of IPC and Section 4 of TNPHW Act, in Crime No. 219 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that, on 27.04.2023, the petitioner had arranged the catering service of his daughter's engagement, during such time, the petitioner demanded the hotel servants to provide the food immediately, for which, there arose a wordy quarrel between the petitioner and the defacto complainant and they have assaulted each other, at that time, some one has snatched the defacto complainant's gold chain. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and it is a case and a case in counter. He



Crl.O.P.No.12118 of 2023

further submitted that the defacto complainant had refused to pay the money to the petitioner and also assaulted him, and thereby he has given a false complaint as if the petitioner has snatched 11 sovereigns of gold chain. Therefore, he prays to grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that it is a case and case in counter and in respect of dispute regarding non payment of money, the accused had assaulted the defacto complainant and also snatched 11 sovereigns of gold chain. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. The learned counsel for the intervenor would submit that 11 sovereigns of gold chain has not been recovered so far and it is also recorded in the CCTV footage. Hence, he opposed for the grant of anticipatory bail to the petitioner.

6. In reply, the learned counsel for the petitioner would submit that it is only a case and case in counter and exaggerated complaint has



Crl.O.P.No.12118 of 2023

been given. On the complaint given by the petitioner, a case in Crime No.220 of 2023 has been registered as against the defacto complainant.

5. Heard the learned counsel for the petitioner, learned counsel for the intervenor and the learned Government Advocate (Crl. Side) and perused the materials available on record.

6. Considering the above fact and circumstances of the case and also the submissions made on both sides, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 No.I, Thiruvannamalai**, 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



Crl.O.P.No.12118 of 2023

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 everyday 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]**.



WEB COPY



Crl.O.P.No.12118 of 2023

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

12.06.2023

drl



WEB COPY



Crl.O.P.No.12118 of 2023

A.D.JAGADISH CHANDIRA,J.

drl

Crl.O.P.No.12118 of 2023

12.06.2023