



Crl.O.P.No.13438 of 2023

Crl.O.P.No.13438 of 2023

WEB C RMT.TEEKAA RAMAN, J.

The Petitioners, who apprehend arrest at the hands of the Respondent police for the offence punishable under Sections 147, 148, 294(b), 353, 506(II) of IPC and Section 3(i) of Tamil Nadu Public Property (Prevention of Damage and Loss) Act in Crime No.220 of 2017 on the file of the Respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 23.01.2017 during Jallikattu protest, some persons along with Petitioners gathered in unlawful manner and damaged backside mirror of the MTC bus bearing Reg. No.TN 01 N 4496 and threatened the conductor using filthy language. Hence the complaint.

3.The learned Counsel for the Petitioners would submit that the Petitioners have not committed any offence as alleged by the prosecution and the Petitioners undertake to abide by any condition imposed by this Court. Hence, the learned counsel for the Petitioners prays for grant of anticipatory bail to the Petitioners.

4.The learned Government Advocate (Crl. Side) for the Respondent would submit that the Petitioners are A17 & A18 and vehemently opposed to grant anticipatory bail to the Petitioners.

5.Heard both sides and perused the materials available on record.



6.Taking into consideration the facts and circumstances of the case and also the submissions made by the learned counsel on either sides and the nature and gravity of the offence, this Court is inclined to grant anticipatory bail to the Petitioners with certain conditions.

7.Accordingly, **the Petitioners shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) as a non-refundable deposit to the credit of Metropolitan Transport Corporation, Chennai District** and on such deposit, the Petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Metropolitan Magistrate No.XVI, George Town, Chennai**, on condition that the Petitioners shall execute a separate 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 petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the Petitioners 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;



Crl.O.P.No.13438 of 2023

WEB COPY

[b] the Petitioners shall report before the Respondent Police, everyday at 10.30 a.m., for a period of three weeks and thereafter as and when required;

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

[d] the Petitioners 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 Petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

20.09.2023

sai



WEB COPY



Crl.O.P.No.13438 of 2023

RMT.TEEKAA RAMAN, J.

sai

Crl.O.P.No.13438 of 2023

20.09.2023