



Crl.O.P.No.14634 of 2023

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WEB C **RMT.TEEKAA RAMAN, J.**

The Petitioner, who apprehends arrest at the hands of the Respondent police for the offence 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 on the file of the Respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the Petitioner along with other accused played “Mangatha” game in Petitioner's farm house, when the Respondent/Police arrived there, they abused the respondent police, threatened them and restrained them from discharging their duties. Hence, the complaint.

3.The learned Counsel for the Petitioner would submit that the Petitioner is the owner of the farm house and he has been falsely implicated in this case. He would further submit that this Court has already granted anticipatory bail to the Petitioner on 04.05.2023 in Crl.OP.No.9078 of 2023 and the same stood automatically dismissed for non compliance of order. Hence, the learned counsel for the Petitioner prays for grant of anticipatory bail to the petitioner

4.The learned Government Advocate (Crl. Side) for the Respondent would submit 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.Heard both sides and perused the materials available on record.

6.Taking into consideration the facts and the submissions made by the learned counsel on either sides and the nature and gravity of the alleged offence, and the fact that this Court has already granted anticipatory bail to the Petitioner and the same stood automatically dismissed, as the Petitioner has not complied with the conditional order, due to his health condition, 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, on or before 20.09.2023, before the learned Judicial Magistrate, Gummidipoondi, Thiruvallur on condition that the Petitioner shall execute a separate 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 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;



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[b] the Petitioner shall report before the Respondent Police, everyday at 10.30 a.m., and thereafter as and when required;

[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 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.

07.09.2023

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