



Crl.O.P.No.14482 of 2023

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), 506(ii), 430 of IPC r/w 3(1) of TNPPDL Act, in Crime No.204 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant/Velusamy is that the petitioner along with the other accused with the help of JCB operator damaged the Government check Dam to the tune of Rs.1,41,000/-. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is only the owner of the vehicle and he is in no way connected with the alleged offence and also submitted that he is



ready to abide by any stringent conditions that may be imposed by this Court.

Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that there are totally three accused in this case and the petitioner is herein is arrayed as A2. He further submitted that the petitioner along with other accused had damaged the Government dam for a tune of Rs.1,41,000/-. However, he opposed for granting anticipatory bail to the petitioner.

5. In reply, the learned counsel for the petitioner would submit that without prejudice, the petitioner is ready and willing to deposit a sum of Rs.25,000/- to the credit of Crime Number. Hence, he prays for grant of anticipatory bail to the petitioner.

6. Heard the learned counsel on both sides and perused the entire materials available on record including the First Information Report.



7. Considering the facts and circumstances of the case and also the submissions made by the learned counsel and the petitioner is ready and willing to deposit some amount to the credit of crime number, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, the petitioner shall make a non-refundable deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of Crime No.204 of 2023. On such deposit and production of proof, , 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, Sendamangalam, 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 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



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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]**;

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

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