



Crl.O.P.No.15009 of 2023

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

The petitioner, who apprehends arrest for the alleged offences under Sections 306 and 511 of IPC in Crime No.130 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that he worked in the petrol bunk belongs to the petitioner and subsequently, he was dismissed stating that the defacto complainant committed theft of 160 litres of diesel and that the petitioner demanded money from the defacto complainant for 160 litres of diesel and refused to return the original driving license of the defacto complainant. Even after repeated demand made by the defacto complainant, the petitioner refused to return his original driving license. Heart broken by the same, the defacto complainant attempted to commit suicide by pouring petrol and set fire on his body. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He



would further submit that the defacto complainant continuously stealing the petrol in the petrol bunk of the petitioner, for which, the branch manager suspended him from the duty on his own statement and there is no allegation attributed against the petitioner for abetment of suicide. At the time of occurrence, the defacto complainant was in an inebriated condition and he did not know what he was doing. Infact the petitioner's employee only had admitted him in the hospital. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (crl.side) appearing for the respondent Police would submit that the injured has been discharged from the hospital.

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

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and also of the



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fact that the injured has been discharged from the hospital, this Court is inclined to grant 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 her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.VII, George Town, Chennai**, 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 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 daily at 10.30 a.m., for a period of until further orders.



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[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;

8. The respondent Police is at liberty to alter the Section after investigation, since the injured survived.

24.08.2023

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