



Crl.O.P.No.18512 of 2023

Crl.O.P.No.18512 of 2023

RMT.TEEKAA RAMAN, J.

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 341, 294(b), 384 and 427 of IPC, in Crime No.378 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused demanded mamool from the defacto complainant and when the defacto complainant refused to pay the mamool, the accused persons broken the head light of the defacto complainant's JCB. Hence the case.

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 would further submit that the petitioner has nothing to do with the alleged offence and hence, he prayed for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) appearing for the respondent police would submit that the petitioner along with other



Crl.O.P.No.18512 of 2023

WEB COPY

accused demanded mamool from the defacto complainant and when the defacto complainant refused to pay the mamool, the accused persons broken the head light of the defacto complainant's JCB. The damage worth about Rs.2,000/-. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner without prejudice, is ready and willing to deposit a sum of Rs.2,000/- to the credit of Crime No.378 of 2023 before the trial Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

6.Heard the learned Counsel for the petitioner and the learned Government Advocate (Crl.side) and perused the materials available on record.

7.Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel for the petitioner and also of the fact that the petitioner has come forward to deposit a sum of Rs.2,000/- to the credit of crime number, this Court is inclined to grant



Crl.O.P.No.18512 of 2023

WEB COPY

bail to the petitioner with certain conditions.

8. Accordingly, the petitioner is directed to deposit a sum of Rs.2,000/- (Rupees Two Thousand only) to the credit of Crime No.378 of 2023, without prejudice to his rights and contentions before the trial Court and 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 X Metropolitan Magistrate, Egmore** 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.



WEB COPY



Crl.O.P.No.18512 of 2023

[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;

[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 abscond, a fresh FIR can be registered under Section 229A IPC.

16.08.2023

vkrr

RMT.TEEKAA RAMAN, J.



WEB COPY



Crl.O.P.No.18512 of 2023

vkr

Crl.O.P.No.18512 of 2023

16.08.2023