



Crl.OP.No.20354 of 2023

Crl.O.P.No.20354 of 2023

RMT.TEEKAA RAMAN, J.

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The Petitioner, who apprehends arrest at the hands of the Respondent police for the offence punishable under Section 5 of TN Public Property (Prevention of Damage & Loss) Act, r/w Sections 147, 148, 120(b) and 427 of IPC in Crime No.408 of 2023 on the file of the Respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 29.06.2023, the Petitioner along with other accused damaged the front mirror (windshield glass) of the Government bus. Hence, the complaint.

3.The learned Counsel for the Petitioner would submit that the Petitioner is an innocent person and he was falsely implicated in this case. He would further submit that the Petitioner is ready to abide by any condition, imposed by this Court. 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 damaged the front mirror (windshield glass) of the Government bus. He would further submit that co-accused in this case were already granted anticipatory bail by this Court in Crl.OP.No.17835 of 2023 on 16.08.2023. He is vehemently opposed to grant 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 the co-accused were granted anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions.

7.Accordingly, **the Petitioner shall deposit a sum of Rs.2,000/- (Rupees Two Thousand only) as a non-refundable deposit to the credit of Tamil Nadu State Transport Corporation, Villupuram District,** and on such deposit, 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 No.I, Ulundurpet,** on condition that the Petitioner shall execute separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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



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their Aadhar card or Bank pass Book to ensure their identity;

[b] the Petitioner shall deposit a sum of Rs.2,000/- (Rupees Two Thousand only) each as a non-refundable deposit to the credit of Tamil Nadu State Transport Corporation, Villupuram District, and the receipt of the same shall be produced before the concerned learned Magistrate at the time of execution of bond;

[c] the Petitioner shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;

[d] the Petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the Petitioner shall not abscond either during investigation or trial;

[f] 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 petitioners 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]* and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

08.09.2023

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Dated: 08.09.2023