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Crl.O.P.No.24232 of 2023

C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.519 of 2023 registered by the respondent for the offence under Sections 294(b), 341, 431 and 506(ii) of IPC.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing on behalf of the respondent.

3.It is stated the petitioner digged a pet very adjacent to Gummidipoondi Township Office. That was questioned by the complainant which escalated into violence. It is also stated that the petitioner had damaged the electricity cable and other cables underground. In view of these facts, anticipatory bail is sought.

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5.Accordingly, 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 **District Munsif Cum Judicial Magistrate, Gummidipoondi**, on condition that the petitioner shall execute a separate 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 deposit a sum of **Rs.10,000/- to the credit in Crime No.519 of 2023**, in the trial Court. Let the amount shall remain in the Court deposit. If there is acquittal on conclusion of trial, the the amount of Rs.10,000/- **returned back to the petitioner**. If there is conviction, then the Magistrate may hand over the total amount **to the de facto complainant**.

[c] the petitioner shall appear before the respondent police **every day at 10.30 a.m., for a period of three**



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weeks and thereafter as and when required.

[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 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]**.

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

20.10.2023

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