



Crl.O.P.No.26751 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner seek anticipatory bail in Crime No.570 of 2023 registered by the respondent Police for the offences under Sections 294(b), 323, 354 IPC read with Section 4 of TNPHW Act, 2002.

2. The learned counsel for the Petitioner stated that the Petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for anticipatory bail to the Petitioner.

3. The learned Government Advocate (Criminal Side) stated that that the Petitioner, who was under the influence of Alcohol had misbehaved with the defacto complainant. He also stated that there are two previous cases under the NDPS Act as against the Petitioner herein. Hence, he strongly opposed this petition.

4. However, taking into consideration all factors, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of



Crl.O.P.No.26751 of 2023

arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate – I, Chengalpet**, 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 two weeks and thereafter, as and when required for the 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.



Crl.O.P.No.26751 of 2023

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[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.

27.11.2023

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