



Crl.O.P.No.32246 of 2022

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T.V.THAMILSELVI, J.

The petitioners who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 147, 148, 341, 324, 506(ii) and 307 of IPC and Section 3(1) of Tamil Nadu Property (Prevention of Damage & Loss) Act, 1992 in Crime No.692 of 2022, seek anticipatory bail.

2.The case of the prosecution as per the de-facto complainant, who is working as the driver of one Durai Thanasekaran, State Secretary of the BJP OBC team, is that on 18.12.2022, the accused waylaid the car by hitting the wind shield with iron rod and by abusing in a filthy language, threatened him to stop the car. The further allegation is that while the said Durai Thanasekaran got out of the car and ran away, the accused chased him and assaulted him brutally with iron rod and knives and put the stone on his head, causing grievous injuries and escaped from the scene of occurrence. Later, the said Durai Thanasekaran was admitted in the Chengalpet Government Hospital for treatment. Hence, the case.



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3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and due to political enmity, a false complaint has been given against them. He would further submit that it is a case and a case in counter. He would also submit that without prejudice, they are ready and willing to deposit a sum of Rs.10,000/- each to the credit of Crime No.692 of 2022 towards the alleged damage caused to the wind shield of the car. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that due to political enmity, the accused waylaid the car by hitting the wind shield with iron rod and by abusing in a filthy language, threatened him to stop the car. Thereafter, the said Durai Thanasekaran got out of the car and ran away, the accused chased him and assaulted him brutally with iron rod and knives and put the stone on his head, causing grievous injuries and escaped from the scene of occurrence. He would further submit that the wind shield of the car was



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fully damaged. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6.Considering the facts and circumstances of the case and the submissions made by the learned counsel and also of the fact that the investigation has been completed, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are directed to **deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) each to the credit of Crime No.692 of 2022** and on such deposit, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Thirukkalukunram,



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Kancheepuram on condition that each of the petitioners shall execute a 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 petitioners 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 petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) each to the credit of Crime No.692 of 2022, before the concerned Magistrate, at the time of furnishing sureties and the learned trial Judge shall disburse the amount to the defacto complainant, who shall utilize the said amount for repairing damaged wind shield of the car.

(c) the petitioner shall report before the respondent police station on every Wednesday at 10.30 a.m., for a period of eight weeks;

(d)the petitioner shall not tamper with evidence or



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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]*; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

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