



Crl.O.P.No.704 of 2024

C.V.KARTHIKEYAN, J.

The petitioner/A1 seeks anticipatory bail in Crime No.629 of 2023 registered by the respondent police for the offences under Sections 272, 273, 328 of IPC r/w Section 77 of Juvenile Justice (Care and Protection of Children) Act, 2015.

2.The case of the prosecution is that the petitioner was found in possession of 1.575kgs of Maava in 104 packets. Earlier, similar petition seeking anticipatory bail was dismissed by this Court on 07.12.2023 in Crl.O.P.No.27556 of 2023.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that similar nature of four previous cases are pending against the petitioner and the investigation is yet to be completed.

5. Heard both sides and perused the materials available on record including the FIR.



6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner.

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7. 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 is made ready, before the **learned V Metropolitan Magistrate Court, Egmore, Chennai**, 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 make a non-refundable deposit of Rs.30,000/- to the credit of the Dean, Government Stanley Hospital, Chennai, for treatment of needy patients.**

[c] **the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders.**

[d] the petitioner shall not tamper with evidence



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

29.01.2024

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