



CrI.O.P.No.773 of 2024

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C.V.KARTHIKEYAN, J.

The Petitioner/A3 in Crime No.2 of 2024 registered by the Respondent Police for the offences under Sections 294(b), 323 and 506(i) IPC read with Section 3 of Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992 with respect to an occurrence which took place on 31.12.2023, seeks anticipatory bail.

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

3. It is stated by the learned Government Advocate (Criminal Side) that all the three Accused persons were going in the road in inebriated state and had kicked the bike of the defacto complainant and this was questioned. Then the Accused persons had broken the windshield of the car of the defacto complainant and also the milk vending vessel of the defacto complainant. It is stated that the total cost of loss comes to a sum of



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Rs.15,000/- (Rupees Fifteen Thousand only). It is also stated that the Accused A1 and A2 had been arrested and are still in custody.

4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions that **the Petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.2 of 2024 before the learned Judicial Magistrate No.II, Thirupathur and on such deposit, the learned Judicial Magistrate No.II, Thirupathur may hand it over the said amount to the defacto complainant.** 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 Judicial Magistrate No - II, Thirupathur**, 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:



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[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/- (Rupees Ten Thousand only) to the credit of Crime No.2 of 2024 before the learned Judicial Magistrate No.II, Thirupathur and on such deposit, the learned Judicial Magistrate No.II, Thirupathur may hand it over the said amount to the defacto complainant

[c] 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.

[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



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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.

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