



CrI.O.P.No.727 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/22nd accused who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 353 and 506(i) of IPC read with Sections 45 & 46 of The City Police Act, 1888 in Crime No.210 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that on 22.11.2023 on receiving information, the respondent went to a building of Ekambaram Street and found 21 persons playing gambling there. Thereafter, FIR was registered and the accused Nos. 1 to 21 had been granted bail after being taken into custody. The petitioner is the owner of the building.

3. The learned counsel for the petitioner proclaims innocence on the part of the petitioner about the nature of the activities which are carried on in that particular building.

4. All these issues have to be examined during the course of trial.

5. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. 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 XVth Metropolitan Magistrate GT at Chennai, 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., until further orders.

[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.



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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.

05.02.2024

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