



Crl.O.P.No.2928 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.664 of 2023, registered by the respondent police for the offences punishable under Section 4 of TN Public Property (Prevention of Damage & Loss Act), 1992.

2. The learned counsel for the petitioner stated that the mother of the petitioner is alleged to have been murdered by the husband of the defacto complainant. Later, the husband of the defacto complainant had been admitted in hospital and all of them had gone to the house and caused damage.

3. It is alleged that this petitioner had damaged the Electricity Meter Box worth about Rs.25,000/-.

4. Taking all the factors into consideration, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is



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ordered to be released on anticipatory 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 District Munsif cum Judicial Magistrate, Madhavaram**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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 everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.664 of 2023 before the **learned District Munsif cum Judicial Magistrate, Madhavaram**. On such deposit, the learned District Munsif cum Judicial Magistrate, Madhavaram, may transfer the said amount to an interest earning



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Fixed Deposit in anyone of the Nationalised Bank and pass final orders on conclusion of trial. If the said petitioner is acquitted, the amount may be handed over to the petitioner. If the petitioner is convicted, the amount may be handed over to the defacto complainant. Merely, because the petitioner deposit of amount does not indicate that he had admitted to any of the allegations.

[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 petitioners 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 absconds, a fresh FIR can be registered under Section 229A IPC.

5. The defacto complainant is at liberty to seek further time in the manner known to law.



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