



Crl.O.P.Nos.5081 & 4993 of 2024

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C.V.KARTHIKEYAN, J.

A-13 has filed Crl.O.P.No. 5081 of 2024 and A-15 and A-16 have filed Crl.O.P.No. 4993 of 2024, both in Cr.No. 117 of 2024 registered under Sections 294(b), 353, 332 of IPC read with Section 12 of Tamil Nadu Gaming Act and subsequently altered into 294(b), 353, 332, 307 of IPC read with Section 12 of Tamil Nadu Gaming Act. They seek anticipatory bail.

2. It is stated that on 18.02.2024, a complaint was lodged with the respondent that the accused persons, 22 in number were indulging in cock fighting by betting cash. The respondent chased the persons and one of the police men fell down in the well and suffered injuries. The co-accused had been arrested and granted bail.

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

4. Accordingly, 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 No.II, Thirupathur, on condition that the petitioners shall execute a separate 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 this Court 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



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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 appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[c] Each one of the three petitioners shall deposit a sum of Rs.1000/- to the credit in Cr.No. 117 of 2024 and on such deposit, the learned Judicial Magistrate No.II, Thirupathur, may hand it over to the injured police men for treatment of injuries.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners 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 petitioners 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.

19.03.2024

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