



Crl.O.P.No.5871 of 2024

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**C.V.KARTHIKEYAN,J.**

The petitioner (A2) seeks anticipatory bail in Crime No.40 of 2024, registered by the respondent police for the offences punishable under Sections 341, 147, 148, 294(b), 506(2) of IPC read with Section 3(1) of TNPPDL Act.

2. It is the case of the prosecution that the defacto complainant had stated that one Dhanasekar came in a two wheeler and fell down in front of the shop of the defacto complainant. Later he asked the defacto complainant about his cell phone which was missing. At that time, the petitioner who is the son of the said Dhanasekar, had come over there with other persons and damaged the shop causing damages worth about Rs.1/- Lakh. It is stated that five accused had been arrested and had been granted on bail on condition to pay a sum of Rs.7000/- each to be paid to the defacto complainant.

3.Taking all these factors into consideration, I am inclined to



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grant anticipatory bail to the petitioner subject to the following conditions:

4. Accordingly, the petitioner is ordered to be released on anticipatory 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 **learned Judicial Magistrate-I, Alandur**, 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.



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[c] the petitioner is directed to pay a sum of Rs.7,000/- (Rupees Seven thousand only) to credit of crime number before the Judicial Magistrate-I, Alandur, at the time of executing the sureties; Upon receipt of such payment, the learned Magistrate may hand over the said amount to the defacto complainant.

[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 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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