



Crl.O.P.No.6371 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 3(1) of Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992 in Crime No.97 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that on 03.03.2024 at about 7.00 a.m, the petitioner herein demolished the bus stand which is situated at Chennai Greater Corporation Ward-19, Zone-2, Chinna Mathur Road by using a JCB bearing Registration No.TN 18 BE 6105 under the instigation of the other accused. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and due to political motive between the parties, he has been falsely implicated in this case. He further submits that the co-accused A1 and A2 were arrested and released on bail. The learned counsel, on instructions, would further submit that the petitioner, on his own



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volition, without prejudice to his rights, is ready to deposit the amount of Rs.50,000/- to the credit of the crime number and hence he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner demolished the bus stand which is situated at Chennai Greater Corporation. He further submits that under the instigation of A1 and A2, the petitioner herein was arrested. He further submits that the co-accused have been arrested and released on bail. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the fact that the petitioner on his own volition, is ready to deposit the sum of Rs.50,000/- to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 (15) days from



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the date of receipt of a copy of this order before the *learned Judicial Magistrate, Madhavaram, Thiruvallur District*, 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 and on further condition that:

(a) the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Cr.No.97 of 2024 before the learned Judicial Magistrate, Madhavaram, Thiruvallur District, within a period of two weeks from the date of receipt of a copy of this order.

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[c] the petitioner shall report before the respondent police daily at 10.30 a.m, for a period of eight weeks;



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[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 has been imposed and the petitioner is 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]***; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

04.04.2024

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