



Crl.O.P.No.14290 of 2024

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T.V.TAMIILSELVI, J.,

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 323, 342, 201 and 302 of IPC in Crime No.338 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that the petitioner is the CEO of Kovai Medical College and Hospital, Coimbatore. One Raja @ Rajamani and Pandiyarajan have stolen the copper wires, pies and electrical components from Kovai Medical College and Hospital, Coimbatore. The staff of the said Hospital caught them and attacked them, due to which, one of the thieves got severely injured and succumbed. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that he was not aware of the said occurrence and he was also not present in the scene of occurrence. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (CrI.Side) appearing for the respondent submitted that there are totally 10 accused in this case and that the petitioner is ranked as A6. He further submitted that the petitioner, who is the CEO of the Kovai Medical College and Hospital, Coimbatore has not informed about the said occurrence to the respondent police. He also submitted that co-accused in this case has already granted bail. However, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the both counsel and also considering the fact that the petitioner is a CEO of the Kovai Medical College and Hospital, Coimbatore, and he is aged about 66 years, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 (15) days from the date of receipt of a copy of this order before the



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learned Judicial Magistrate No.II, Coimbatore, 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 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 Court concerned 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, as and when required for interrogation;

[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;

[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 has been imposed and the petitioner are released on anticipatory 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;

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



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