



Crl. O.P. No.18840 of 2024

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WEB C P.DHANABAL.J.,

The petitioner apprehends arrest for the alleged offence under Section 143(1)(a) of Railways Act 1989 in Crime No.1113 of 2024, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that on surprise raid, the accused no.1 namely Beena, employee of this petitioner, was found in possession of live and expired tickets for railway journey and she also possessed details of five Identity Cards through which she booked the unauthorized tickets. Hence the case.

3.The learned counsel for the petitioner would contend that the petitioner is an innocent and he is running a private limited company from 2017 onwards and the tickets were booked on the requirement of the customers and he has not indulged in any activities as alleged in the F.I.R. and the accused no.1 was arrested and released on bail. The petitioner has not committed any offence as alleged by the respondent police and he has not involved in any other case and hence he seeks anticipatory bail.

4.The learned Government Advocate (Criminal Side) would submit



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that the petitioner along with another accused procured e-tickets using various ID cards in unauthorized manner and on raid, A1 was found in possession of live and expired tickets for railway journey and therefore, he objected to grant anticipatory bail to the petitioner. However, the learned Government Advocate (Criminal Side) has represented that the petitioner has no previous case.

5. Heard both side and perused the materials available on record.

6. Considering the rival submissions on either side and considering the fact that there is no previous case as against the petitioner and considering the nature of offences, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on 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 **XX Metropolitan Magistrate, Allikulam, Chennai** 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the concerned jurisdictional Magistrate on the 1st working day of every English Calendar month



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at 10.30 a.m. for a period of 3 months.

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[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S. 2023.

08.08.2024

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To

1. The XX Metropolitan Magistrate, Allikulam, Chennai.
2. The Inspector of Police, RPF Police Station, Annanur (Avadi), Chennai.
3. The Public Prosecutor, High Court, Madras.



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