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Crl.O.P.No.24296 of 2024

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P.DHANABAL, J.

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 386 and 506(2) of the Indian Penal Code, 1860 in Crime No.719 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused using the name of one Senthil @ Sambo Senthil demanded mamool to continue the construction work and the accused also received a sum of 5 lakhs from the defacto complainant. Hence this case.

3. The learned counsel for the petitioner would contend that the petitioners are an innocent persons and they have not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that the defacto complainant living in Thiruvottiur he



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engaged in the business of construction and he is presently doing construction of apartments in Tondiarpet. The petitioner and other accused using the name of one Senthil @ Sambo Senthil and demanded mamool to continue the above said project and the accused also received a sum of 5 lakhs from the defacto complainant and 16 previous cases pending against the first and petitioner and 8 previous cases pending against the second petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Considering the rival submissions on either side, the nature of offences and material witnesses statement was recorded by the Investigating Officer, though 16 previous cases are pending against the first petitioner and 8 previous cases are pending against the second petitioner, in all cases they were granted bail, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

7. 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,



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before the *learned XV Metropolitan Magistrate at G.T.Court at*

Chennai on condition that the petitioners 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 petitioners shall report before the Tiruvallur Town Police Station daily at 10.00 a.m., until further orders.

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

[c] the petitioners 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 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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