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Crl.O.P.No.28825 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A2, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 294(b), 506(ii) of I.P.C r/w Section 3 of TNPPDL Act in Crime No.721 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that A1 was driving an auto in a rash and negligent manner and that was questioned by the de-facto complainant. It is stated that A1 had subsequently called upon all the other accused including petitioner herein and they had totally damaged 5 Autos, one car and one two wheeler. This petitioner along with other accused also abused and threatened the defacto complainant with dire consequences.

3. The learned Government Advocate (Crl side) appearing for the respondent police submitted that the co-accused had been arrested and released on bail. He further stated that this is the second anticipatory bail application and the earlier application was dismissed on 20.11.2023 in Crl.O.P.No.26333 of 2023.

4. Taking into consideration the submission made by the learned



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Government Advocate that the co-accused had been arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. 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 **Judicial Magistrate Pallavaram**, 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, 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 daily 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 shall make a non-refundable deposit of Rs.20,000/- to the Registered Advocate Clerk Association, High Court of Madras, Chennai Two weeks time is granted for deposit the said amount from the date of receipt of a copy of this order.

[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.

05.01.2024

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