



Crl.O.P.No.30422 of 2024

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**A.D.JAGADISH CHANDIRA, J.**

Apprehending arrest in connection with Crime No.571 of 2024, registered for the offences punishable under Sections 296(b), 132, 351(3) of BNS, 2023 and 45, 46 of TN City Police Act 1888, the present petition has been filed seeking anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused was found indulged in gambling for money with three cards and when the police attempted to apprehend them the accused threatened the police and prevented them from discharging from duties and ran away from the place. Hence, the case.

3.Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He would further submit that he is the caretaker of the recreational club and without his knowledge the other accused had indulged in such activities and he is no way connected in the above offence. He is ready to abide by any conditions that may be imposed by this Court.



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4.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that on the instruction of the Assistant commissioner of Police, Washermenpet, H-1 Washermenpet Police Station Inspector and his patrol persons went to Egambaram Street, Kannan Road Junction, at that time 15 persons were found playing three cards game with money illegally. During arrest, one persons threatened police and using filthy language against the police. A16 is the owner of the club. He would further submit that there is one previous case as against the petitioner.

5.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, 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 their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned XV Metropolitan Magistrate, G.T. at Chennai**, on condition that the petitioner shall execute a



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bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intend 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 his Aadhar card or Bank pass Book to ensure their identity;*

*[b] the petitioner shall report before the respondent police on every day at 06.30 p.m., until further orders;*

*[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 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];*



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*[f] If the accused thereafter abscond, a fresh FIR  
can be registered under Section 269 of B.N.S.*

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**05.12.2024**

**A.D.JAGADISH CHANDIRA, J.**

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