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Crl.O..No. 31775 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No. 31775 of 2024

Deepan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Vikkiravandi Police Station,
Villupuram District.
Crime.No. 834 of 2024).

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Bharatiya
Nagarik Suraksha Sanhita, 2023, pleased to enlarge the petitioners on
anticipatory bail in the event of the arrest pending investigation in Crime
No. 834 of 2024 on the file of the respondent Police.

For Petitioner : Mr.G.Saravanabhavan

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)



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ORDER

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Apprehending arrest in connection with Crime No. 834 of 2024 registered for the offences punishable under Sections 296(b), 132, 351(2), 112(2) of BNS Act, read with Section 12 of the Tamil Nadu Gambling Act, the present petition has been filed by the petitioner seeking anticipatory bail.

2. The case of the prosecution is that when the petitioner along with others were playing cards which was prohibited by the Government and when the same was enquired by the de-facto complainant, the accused had abused and threatened the de-facto complainant. Hence the complaint.

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 further submits that false complaint has been given and no previous case is pending against the petitioner. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court.



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4. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that when the petitioner along with others were playing cards which was prohibited by the Government and when the same was enquired by the de-facto complainant, the accused had abused and threatened the de-facto complainant. He further submits that there is no previous case is pending against the petitioner.

5. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. 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 and accordingly, he 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 of receipt of a copy of this order, before the learned **District Munsif Cum Judicial Magistrate, Vikkiravandi**, 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



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satisfaction of the respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] 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;

[c] the petitioner shall report before the respondent Police everyday at 6.30 a.m until further orders;

[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;



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[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 269 of BNS.

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A.D.JAGADISH CHANDIRA, J.

MSM

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