

CRL.O.P.No.10475 of 2016

S.VAIDYANATHAN, J.

Apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 399 of IPC in connection with Crime No.298 of 2016, the petitioners have come forward with this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused are alleged to have made preparation for committing robbery.

3. The learned counsel for the petitioners submitted that the petitioners have not committed any such offence and false case has been registered against the petitioners.

4. The learned Government Advocate (Crl. Side) submitted that the first and second petitioners are involved in one previous case and hence opposed for grant of anticipatory bail to the petitioners.

5. Considering the fact that the first and second petitioners are involved in one previous case, I am not inclined to grant anticipatory bail to the first and second petitioners. Considering the facts and circumstances of this case, I am inclined to grant anticipatory bail to the third petitioner.

7. Accordingly, the third 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 of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Vanur, Villupuram District on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties each for a

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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 and on further condition that :

[a] the third petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

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

[c] the third 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 third petitioner in accordance with law as if the conditions have been imposed and the third 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]**.

02.06.2016

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