



Crl.O.P.No.15192 of 2022

Crl.O.P.No.15192 of 2022

WEB C **G.K.ILANTHIRAIYAN, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 25(1)(a) of Arms Act, in Crime No. 188 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that there are totally seven accused in this case and the petitioner is arrayed as A7. On 27.05.2022, the defacto complainant, who is Sub-Inspector of Police received on information that five persons assembled with deadly weapons and were planning to commit an offence. In the said circumstances, the present criminal case has been registered against the petitioner. Now apprehending arrest, the present petition has been filed by the petitioner. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the co-accused A6 was granted anticipatory bail in Crl.O.P.No.12951 of 2022 dated 01.06.2022. Hence, he prays to grant anticipatory bail to the petitioner.



WEB COPY

4. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner has conspired with another accused to commit an offence and based on apprehension of commission of offence, the present case has been registered against the petitioner. He further submits that there are four previous cases pending against the petitioner and the two cases are prevent arrest cases. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case, 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 his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate No.II, Hosur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two blood related sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to



CrI.O.P.No.15192 of 2022

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 Morning at 10.30 a.m., and Evening at 5.30 p.m., for a period of four weeks and thereafter as and when required for interrogation.

[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]**.

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

11.07.2022

Lpp



WEB COPY



Crl.O.P.No.15192 of 2022

G.K.ILANTHIRAIYAN, J.

Lpp

Crl.O.P.No. 15192 of 2022

11.07.2022