



Crl.O.P.No.17023 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 427 and 380 of IPC, in Crime No.120 of 2022, seek anticipatory bail.

2. The case of the prosecution is that more than 20 persons came to the place of the defacto complainant in a vehicle fixed with Government emblem and had taken a sum of Rs. 5 Lakhs in the table drawer and also threatened the defacto complainant with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are the innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are ready to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) **jointly** to the credit of Crime No.120 of 2022. Therefore, he prays for grant of anticipatory bail to the petitioners.



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4. The learned counsel for the Intervener would submit that more than 20 persons came to the place of the defacto complainant in a vehicle fixed with Government emblem and had taken a sum of Rs. 5 Lakhs cash in the table drawer.

5. The learned Additional Public Prosecutor would submit that there are totally 4 accused in which the petitioners are arrayed as A3 and A4. They have taken 32 cement bags from the place of the defacto complainant. Already, this Court had granted anticipatory bail to A1 and A2. However, he vehemently opposed to grant anticipatory bail to the petitioners.

6. Considering the above facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) **jointly** to the credit of Crime No.120 of 2022, within a period of two weeks from the date on which the



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order copy made ready and on such deposit the petitioners are 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 Judicial Magistrate, Alandur, Chengalpattu District, on condition that each of the petitioners 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 petitioners 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 petitioners shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) **jointly** to the credit of Crime No.120 of 2022, before the concerned Magistrate, within a period of two weeks from the date on which the order copy made ready. Further, the petitioners shall not disturb the peaceful possession and enjoyment of the subject property of the defacto complainant.



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[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioners shall report before the respondent police daily at 10.30 a.m, for a period of four weeks and thereafter as and when required for interrogation.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioners shall not abscond either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.

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

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