



Crl.O.P.No.19783 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 294(b), 352, 324, 506(ii) of IPC and Section 379 (NP) of IPC, in Crime No.66 of 2020, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is working as a collection agent in Vinayaga Associative. The defacto complainant went to ask due amount to one Gopu who is the first accused. At that time, A1 refused to pay the money and also abused the defacto complainant. Thereafter, A1 along with the petitioners herein attacked the defacto complainant and also robbed to a sum of Rs.23,500/- from the bag of the defacto complainant. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely



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implicated in this case. He would further submit that A1 was arrested and released on bail. He also submitted that the petitioners are ready to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) **jointly** to the credit of Crime No.66 of 2020. Therefore, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that A1 refused to pay the due amount to the defacto complainant, who is a collection agent. Thereafter, A1 along with the petitioners herein attacked the defacto complainant and also robbed to a sum of Rs.23,500/- from the bag of the defacto complainant. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are directed to deposit a sum of



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Rs.25,000/- (Rupees Twenty Five Thousand only) **jointly** to the credit of Crime No.66 of 2020, within a period of two weeks from the date on which the 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, before the learned Judicial Magistrate, Tiruthuraipoondi, 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.25,000/- (Rupees Twenty Five Thousand only) **jointly** to the credit of Crime No.66 of 2020, before the concerned Magistrate, within a period of two weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by



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the learned trial Judge at conclusion of trial.

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[d] the petitioners 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.

[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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