



CrI.O.P.No.20728 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 387 and 506(ii) of IPC in Crime No.166 of 2022 seeks anticipatory bail.

2. Totally, there are eight accused persons involved in this case in which, the petitioner is arrayed as A1. The case of the prosecution is that the defacto complainant was running a Spa and on 21.08.2022 around 8 p.m., four unknown person visited the Spa and requested for service of massage and later the said persons threatened the defacto complainant in the SPA and also taken away the mobile phones and other articles belonging to the defacto complainant and his employees and also threatened him with defacto complainant with dire consequences and left the spa. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution and based on the confession statement of the other arrested accuse persons, he has been implicated in



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WEB COM this case. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner along with others had entered into the Spa and threatened the defacto complainant and his employees and also looted some of the articles in the spa. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case and also considering the submissions made by both counsel, 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 made ready, before the ***learned Metropolitan Magistrate-XVII, Saidapet, Chennai*** 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 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



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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 at 10.30 a.m., for a period of two 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.

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