



Crl.O.P.No.21029 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 Section 397 of IPC in Crime No.75 of 2021 seeks anticipatory bail.

2. The case of the prosecution is that the petitioner robbed a sum of Rs.500/- belongs to the defacto complainant. 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. He would further submit that originally, the petitioner was arrested by the respondent police and remanded to judicial custody and he was enlarged on bail by this Court vide order dated 15.06.2021 in Crl.OP.No.10415 of 2021. He would further submit that due to covid -19 pandemic situation, the petitioner has not able to execute the the personal bond before the prison authorities as directed by this Court. Therefore, now he apprehends arrest at the hands of the respondent police and prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that this



Crl.O.P.No.21029 of 2022

WEB COPY

court already granted bail to the petitioner, but, he was not able to execute personal bond before the prison authorities as directed by this Court. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and also 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 District Munsif-Cum-Judicial Magistrate, Vanur*** 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 condition that:

[a] the petitioner and the sureties shall affix their photographs and



Crl.O.P.No.21029 of 2022

WEB COPY

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 deposit a sum of Rs.10,000/- (Rupees ten thousand only) in favour of The Dean, Villupuram Medical College, Mundiypakkam Village for treating Covid-19 patients. The said payments shall be made through NEFT/RTGS/Cash/Demand Draft and acknowledgement of payment shall be produced before the learned District Munsif Cum Judicial Magistrate, Vanur , at the time of release on bail; the petitioner is further directed to deposit a sum of Rs.1,000/- to the credit of crime no.75 of 2021 which shall be disbursed to the defacto complainant by the trial Court upon filing a proper affidavit

[c] the petitioner 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.

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

[e] the petitioner shall not abscond either during investigation or trial.



Crl.O.P.No.21029 of 2022

WEB COPY

[f] 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]**.

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

Vv

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