



Crl.O.P.No.21314 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294 (b), 384 & 506 (ii) IPC in Crime No.381 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 31.07.2022, the petitioner along with the other accused had threatened the de-facto complainant at knife point and extorted a sum of Rs.3800/- from him. 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, only in order to invoke 110 Cr.P.C against him. He would further submit that the petitioner was earlier involved in three cases, in respect of 2 cases, he has been acquitted and in rest of the case, investigation is pending. He would also submit that reading of the First



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Information Report shows that it is the foisted case against the petitioner.

He would also submit that the main accused in this case has been arrested and released on bail.

4. The learned Government Advocate (Crl.Side) would submit that the petitioner along with the other accused threatened the de-facto complainant at Knife point and taken away a sum of Rs.3800/- from him. He would also submit that there were 3 previous cases against the petitioner, out of which, he has been acquitted in two cases and in one case, investigation is pending. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner would submit that the pending investigation case is registered during the year 2017 and for the past five years no case is pending against the petitioner. He would also submit that the petitioner is prepared to comply with any stringent condition imposed by the Court and he prays for grant of anticipatory bail to the petitioner.



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6. Taking into consideration the facts of the case and the submissions made by the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;

7. 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 XXIII Metropolitan Magistrate, Saidapet, Chennai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 stands 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.



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[b] the petitioner shall report before the respondent police daily at 10.30 a.m., and 05.30 p.m, until further orders.

[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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