



Crl.O.P.No.25255 of 2022

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A.D. JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 392 of IPC in Crime No.715 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused waylaid the defacto complainant, attacked him and robbed the cell phone of the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and the respondent Police suspecting that the petitioners are the friends of the main accused, has implicated them in this case. He would further submit that the petitioners are aged about 21 and 20 years respectively and they do not have previous case against them. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) would submit that the petitioners along with other accused waylaid the defacto complainant, attacked him and robbed the cell phone of the defacto complainant. He would submit that the alleged cell phone has not been recovered sofar. He would further submit that A1 and A2 are juvenile and A4 in this case has already been arrested and enlarged on bail. However, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Accordingly, 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 XVI Metropolitan Magistrate, George Town, Chennai** on condition that the petitioners shall execute separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with **two sureties**,



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in which, one surety should be either mother or father of the petitioners, 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 report before the respondent police daily at 10.30 a.m., until further orders.

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

[d] the petitioners 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 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]**.



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

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