



CrI.O.P.No.30409 of 2022

CrI.O.P.No.30409 of 2022

WEB COPY

T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 323, 336, 427, 397 and 506(ii) of IPC in Crime No.464 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 08.11.2022, the petitioner along with another waylaid the defacto complainant in a two wheeler and abused him in a filthy language and demanded money from him to consume alcohol. But, he refused to give money, therefore, they have assaulted him with knife and forcibly taken a sum of Rs.500/- from him and threatened him with dire consequences. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner has nothing to do with the alleged offence and he has been falsely implicated in this case. He would further submit that the petitioner is prepared to abide by any stringent conditions that may be imposed by



Crl.O.P.No.30409 of 2022

this Court and hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that on 08.11.2022, the petitioner along with another waylaid the defacto complainant in a two wheeler and abused him in a filthy language and demanded money from him to consume alcohol. But, he refused to give money, therefore, they have assaulted him with knife and forcibly taken a sum of Rs.500/- from him and threatened him with dire consequences. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the submissions made by the learned Government Advocate (Crl.Side), 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



Crl.O.P.No.30409 of 2022

from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Tiruvallur**, 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 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 every Saturday at 10.30 a.m. for a period of eight (8) weeks and thereafter as and when required for interrogation;

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



WEB COPY



Crl.O.P.No.30409 of 2022

T.V.THAMILSELVI,J.

sp

[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 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.

12.12.2022

sp

Crl.O.P.No.30409 of 2022