



Crl.O.P.No.31690 of 2022

Crl.O.P.No.31690 of 2022

WEB COPY

**T.V.THAMILSELVI,J.**

The petitioner, who apprehends arrest for the alleged offences punishable under Sections 394 and 397 of IPC in Crime No.545 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the petitioner along with other accused trespassed into the defacto complainant's medical shop and robbed an amount of Rs.4,000/- and his mobile phone. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and due to previous enmity, the defacto complainant has given a false complaint against him. However, on instructions, the learned counsel submitted that the petitioner, on his own volition, is ready and willing to contribute a sum of Rs.10,000/- to the credit of the Registered Advocates Clerks Association, Coimbatore, that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.31690 of 2022

WEB COPY

4.The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that there are two previous cases similar in nature is pending against the petitioner. He would further submit that the anticipatory bail petition filed by the petitioner has been dismissed by this Court in Crl.O.P.No.22528 of 2022 vide order dated 23.09.2022. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case, 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 before the learned **Judicial Magistrate No.III, Coimbatore**, 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:



WEB COPY



Crl.O.P.No.31690 of 2022

[a] the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of the Registered Advocates Clerks Association, Coimbatore within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below;

[b] 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;

**[c] the petitioner is directed to report before the respondent police on every Tuesday and Sunday at 10.30 a.m., for a period of eight (8) weeks;**

[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;



WEB COPY



Crl.O.P.No.31690 of 2022

**T.V.THAMILSELVI,J.**

sp

[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.

**22.12.2022**

sp

**Crl.O.P.No.31690 of 2022**