



Crl.O.P.No.32149 of 2022

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 341, 294(b), 336, 427, 392 & 397 of IPC, in Crime No.634 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that on 31.10.2022, the accused have waylaid the de-facto complainant, abused him in a filthy language and robbed a sum of Rs.1,200/- from him at knife point. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he was falsely implicated in this case. He further submitted that the petitioner is no way connected with the alleged offence and he also stated that he has been implicated in this case only based on the suspicion. He also submitted that the petitioner is ready to abide by any stringent conditions



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that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner along with the other accused waylaid the de-facto complainant and by abusing him, robbed a sum of Rs.1200/- from him at knife point. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner and also taking note of the fact that the petitioner has been implicated only based on the suspicion, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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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 **Judicial Magistrate-I, Tambaram**, 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 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;

[b] the petitioner shall report before the respondent police on every Wednesday and Sunday at 10.30a.m. for a period of three months and thereafter, as and when required for interrogation;

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



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[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.

23.12.2022

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