



Crl.O.P.No.32453 of 2022

Crl.O.P.No. 32453 of 2022

A.A.NAKKIRAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 341, 323, 324, 379 and 506(ii) of IPC, in Crime No.299 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant purchased a four wheeler vehicle from Sakthi Finance by Auction and he is the owner and driver of the vehicle. While so, on 08.11.2022, near Pudupattil Vinayagar Temple around 6.30 p.m, the petitioner along with some others assaulted and robbed the defacto complainant vehicle from the hospital. Due to this dispute, the petitioner also sustained injury. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and that he did not commit any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) submitted that the petitioner purchased the vehicle in the name of his wife and he did not repay the



amount and hence the vehicle has been seized. He further submits that the petitioner along with some others assaulted the defacto complainant with iron pipe causing injury and the said property has been recovered from the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the property has been recovered, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest by the respondent police or the police officer, who intends to arrest or on the petitioner surrenders before the learned Judicial Magistrate No.II, Thiruvallur, within a period of fifteen days from the date of receipt of a copy of this order, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum/amount to the satisfaction of the learned Judicial Magistrate No.II, Thiruvallur.

(a) the sureties shall affix their photographs and left thumb impression in the surety bond. The Police Officer who intends to arrest or the



CrI.O.P.No.32453 of 2022

learned Judicial Magistrate before whom the petitioner surrenders and the sureties execute bond shall obtain a copy of their Identity Card, Aadhar Card, or Voter Identity Card or Driving Licence or PAN Card or Bank Passbook with Photo affixed and attested by the Bank Manager as proof of Identity.

(b) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders.

(c) the petitioner shall not influence, threaten or coerce the 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 Investigation Officer shall exercise the discretion to cancel the bail by approaching the Court of the learned Judicial Magistrate/Trial Court.

(f) the learned Judicial Magistrate/Trial Court shall on application for cancellation of bail bond by the Investigation Officer shall pass appropriate orders as though bail granted by the learned Judicial Magistrate/Trial Judge himself/herself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;



Crl.O.P.No.32453 of 2022

A.A.NAKKIRAN, J.

drl/smn

(g) if the Accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

28.12.2022

drl/smn

Crl.O.P.No. 32453 of 2022