



WEB COPY



CrI.O.P.No.954 of 2023

CrI.O.P.No.954 of 2023

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 341, 323, 384 of IPC in Crime No.484 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant, he was carrying export material from Kannur in his TATA Act vehicle. On the way suddenly the petitioner along with other accused waylaid his vehicle and since the defacto complainant refused to take them in his vehicle, they attacked, and by threatening at knife point. They robbed him 1.1/2 sovereign of gold chain and escaped from the scene of occurrence. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is no way connected with the alleged offence. Hence, he prays to grant anticipatory bail to the petitioner.



Crl.O.P.No.954 of 2023

WEB COPY

4. The learned Government Advocate (Crl.Side) would submit that there are totally four accused and the petitioner is arrayed as A1 and it is a case of robbery. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the submissions made by the both counsel and also the fact that the petitioner has willfully and on his own volition agreed to contribute some amount for charitable purpose, 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-I, Chithambaram** 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



CrI.O.P.No.954 of 2023

WEB CODE

anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners are directed to deposit a sum of **Rs.15,000/- (Rupees Fifty Thousand only)** to the **Registered Advocate Clerks Association, Cuddalore**, 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 daily at 10.30 a.m., for a period of two months and thereafter as and when required for interrogation;**

[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.

[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



WEB COPY



Crl.O.P.No.954 of 2023

T.V.THAMILSELVI,J.

vsn

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.

12.01.2023

vsn

Crl.O.P.No.954 of 2023