



Crl.O.P.No.2812 of 2023

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T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 448, 342, 364(A), 395 and 506(ii) of IPC read with 149 IPC, in Crime No.210 of 2022, on the file of the respondent police, seek anticipatory bail.

2. There are totally six accused in this case and the petitioners are arrayed as A5 and A6. The case of the prosecution is that on 08.12.2022 at about 3.00 p.m., some unknown two women came to the defacto complainant's house and asked for water, while they are sprayed chilli powder and snatched a Mangalyam Sutra Chain from the defacto complainant and also kidnapped her husband. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that A1 to A4 were arrested and thereafter granted bail by this Court vide order dated 25.01.2023 in Crl.O.P.No.707 of 2023. Therefore, he prays to grant anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that on 08.12.2022 at about 3.00 p.m., some unknown two women came to the defacto complainant's house and asked for water, while they are sprayed chilli powder and snatched a Mangalyam Sutra Chain from the defacto complainant and also kidnapped her husband. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Thiruvannamalai**, on condition that the petitioners shall execute a separate 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 and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a



Crl.O.P.No.2812 of 2023

copy of their Aadhar card or Bank pass Book to ensure their identity.

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[b] the petitioners shall report before the respondent police every Tuesday at 10.30 a.m., for a period of eight weeks and thereafter as and when required.

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

[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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.

09.02.2023

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CrI.O.P.No.2812 of 2023

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CrI.O.P.No.2812 of 2023

09.02.2023