

Crl.O.P.No.2731 of 2023

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 120(B), 147, 148, 149 and 302 of IPC r/w 25 (1B) (a) and Section 27 of Indian Arms Acts 1959 in Cr.No.592 of 2015 on the file of the respondent police, seeks anticipatory bail.

2.Totally there are 21 accused in this case and the petitioner herein ranked as A12. The case of the prosecution is that on the date of the occurrence the petitioner and other accused surrounded the vehicle in which the petitioner and some other persons were travelling. Thereafter the petitioner and other persons fired the persons who were travelling in the car, due to which some persons were died and some of them were severely injured. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner was only present at the scene of occurrence, that apart he has not committed any offence as alleged by the prosecution. He further submits that this Court has granted bail to some of the co-accused. Hence, he prays to



grant anticipatory bail to the petitioner.

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4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner along with accused committed murder by firing the persons travelling in the car and the petitioner played a vital role in the crime. He further submits that investigation is almost completed and charge sheet also filed. Hence, he opposed for grant of anticipatory bail.

5. Considering the facts and circumstances of the case and the submissions made by learned counsel appearing for either side and the fact that this Court has granted bail to some of the co-accused and investigation almost completed and charge sheet also filed, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the **Judicial Magistrate, Sulur** on condition that the petitioner shall execute a bond for a



sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with two sureties(out of which one should be a blood related surety) 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:

(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 every Tuesday at 10.30 a.m. for a period of Eight weeks and thereafter, appear before the trial Court on all hearing dates and cooperate with the trial proceedings.

(c)the petitioner shall not tamper with evidence or 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 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 anticipatory 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]***; and;



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

08.02.2023

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