



Crl.O.P.No.3281 of 2023

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 342, 387, 392, 420 & 506(ii) of IPC in Crime No.609 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that the de-facto complainant is engaged in the business of Car dealing. While so, when the de-facto complainant was involved with one Kumar for sale of car, the said Kumar along with the petitioner herein and other accused persons, harassed the de-facto complainant, attacked him and snatched the car from the de-facto complainant at knife point without paying money and have also threatened the de-facto complainant with dire consequences. Hence this complaint.

3. Learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this



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case. He would further submit that, the accused A2 & A3 were already granted bail and he furthermore submitted that, he is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner along with other accused persons attacked the de-facto complainant and snatched the car. Further, the property was not recovered till date and charge sheet is not yet filed. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and also the fact that the co-accused were already granted anticipatory bail, 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, within a period of fifteen days



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from the date on which the order copy made ready, before the **learned Judicial Magistrate No.2, Salem**, 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 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 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 daily on 10.30 a.m. for a period of three months and thereafter on every Saturday at 10.30 a.m. for a period of six weeks.

[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



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conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions

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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;

14.02.2023

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