



Crl.O.P.No.4554 of 2023

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest for the alleged offences punishable under Section 399 of IPC, in Crime No.71 of 2019 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that, on 21.06.2019, at about 12.30 p.m., while he was returning in his auto after dropping the passengers near Amangakuttai graveyard, he found that the petitioner along with other accused were planning to commit robbery. Hence, the case.

3.The learned counsel appearing for the petitioner would that the petitioner has not committed any offence as alleged by the prosecution. He would also submit that the petitioner has been falsely implicated in this case, since the petitioner and the other accused belongs to same area. He would further submit that the co-accused were arrested and enlarged on bail. Hence, he prays for grant of anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl.Side) would submit that, this Court, had granted anticipatory bail to the petitioner on 05.12.2019 in Crl.O.P.No.29509 of 2019. However, the petitioner has not complied the condition as imposed by this Court and he had filed second anticipatory bail petition in Crl.O.P.No.5490 of 2022 and the same was dismissed on 09.03.2022. Therefore, the petitioner has filed the third anticipatory bail petition. He would further submit that there are 2 previous cases pending against petitioner. Hence, he 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 learned Government Advocate (Crl.Side), 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 No.1, Vellore, Vellore District**, on condition that the



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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 morning at 10.30 a.m. and evening at 05.00 p.m., for a period of two (2) months;

[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;



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[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 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.

02.03.2023

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