



Crl.O.P.No.5590 of 2023

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A. D. JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294(b), 353, 323, 324, 379 & 506(ii) of IPC which was later altered to Sections 147, 148, 341, 294(b), 353, 323, 324, 506(ii), 395 & 397 of IPC in Crime No.16 of 2023, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant, who is the driver of a TNSTC bus, is that the petitioner/A1 who had boarded the bus had created trouble and abused the defacto complainant with filthy language. He further submitted that the petitioner had snatched the cash bag containing Rs.25,400/- and his cell phone. Hence, the case.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He submitted that there was a quarrel between the co-passengers and



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the conductor on account of non returning of change. He further submitted that there is no previous case pending against the petitioner. Thereby, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) submitted that due to non returning of change, the petitioner had created trouble and abused the defacto complainant with filthy language. He further submitted that the petitioner had snatched the cash bag containing Rs.25,400/- and cell phone from him. Thereby, he vehemently opposed the grant of anticipatory bail to the petitioner.

5.Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate (Crl.side) appearing for the respondent and perused the materials available on record.

6.Taking into consideration the facts and submissions of the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the copy of the order is made ready, before **the learned District Munsif Cum Judicial Magistrate, Thirukalukundram**, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 at 10.30 a.m., until further orders.

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



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[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 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.

8. With the above directions, this Criminal Original Petition is ordered.

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16.03.2023

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