



Crl.O.P.No.5933 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 offences punishable under Sections 386, 506(2), of IPC and Section 7(1)(a) of the Criminal Law Amendment Act 1932, in Crime.No.32 of 2023, seeks anticipatory bail.

2. The case of the prosecution, as per the de-facto complainant, is that he is running a bakery shop and that on 30.01.2023, the petitioner along with other accused armed themselves with a sickle and an Iron Rod and threatened him by demanding money for drinking and also stated that they are big rowdies from Valangaiman and he should give the money or else they would murder him. Hence the case.

3. The learned Counsel for the petitioner would submit that it is true that the petitioner has, had two previous cases brought against him only in order to keep the petitioner, and a false complaint has been given as if the petitioner, along with other accused, had threatened the defacto



CrI.O.P.No.5933 of 2023

complainant and dropped an amount of Rs.500/- from him for drinking.

He would further submit that a reading of the FIR would go to show that this is the case that was foisted for the purpose of detaining the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that the petitioner is a history sheeter rowdy and he along with other accused had threatened the defacto complainant with weapons and also snatched an amount of Rs.500/-. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the Counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



Crl.O.P.No.5933 of 2023

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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 days from the date on which the order copy made ready, before the **learned District Judicial Magistrate, Valangaiman**, 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 stay at Chennai and report before the Flower Bazaar Police Station everyday at 10.30 a.m., and 5.30 p.m., until further orders.**

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



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Crl.O.P.No.5933 of 2023

A.D.JAGADISH CHANDIRA, J.

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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]***; and;

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

16.03.2023

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Crl.O.P.No.5933 of 2023