



Crl.O.P.No.6000 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 341, 294(b), 397 and 506(ii) of IPC in Crime No.333 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the accused have waylaid the defacto complainant, threatened him and robbed an amount of Rs.800/- at knife point. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he is no way connected with the alleged offence. He would further submit that the fact remains that the petitioner has got some previous cases against him and only in order to put the petitioner under fetters, the respondent has registered a false case against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the



CrI.O.P.No.6000 of 2023

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respondent would submit that the petitioner along with other accused have waylaid the defacto complainant, threatened him and robbed an amount of Rs.800/- at knife point. He would further submit that there are four previous cases pending against the petitioner and the amount has been recovered. However, he opposed for grant of anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner as well as the learned Government Advocate (crl.side) and perused the entire materials available on record including the First Information Report.

6.Taking into consideration the facts of the case and the submissions made by the learned counsel and also of the fact that the robbed money has been recovered, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



CrI.O.P.No.6000 of 2023

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7. 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 from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Thiruvallur, 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 twice at 10.30 a.m and 5.30 p.m., until further orders.

[c] the petitioner shall not tamper with



CrI.O.P.No.6000 of 2023

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 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;

17.03.2023

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Crl.O.P.No.6000 of 2023

A.D.JAGADISH CHANDIRA, J.

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Crl.O.P.No.6000 of 2023

17.03.2023