



Crl.O.P.No.6040 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 offence punishable under Section 379 of IPC in Crime No.529 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the de facto complainant is that on 19.10.2023, at about 20.30 hours, when he was on the way to Chengalpattu in his car, the petitioner along with other accused chased him in another car, waylaid him and took away his car. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case, based on the confession statement recorded from the arrested accused and they have been enlarged on bail by the trial court. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (CrI.Side) for the respondent would submit that the petitioner along with other accused have waylaid the de-facto complainant, who was on his way to Chengalpattu and taken away his car. He would submit that A1 and A2 were arrested and enlarged on bail and the car has been recovered from them. However, he opposed for grant of anticipatory bail to the petitioner/accused.

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

6. Considering the above facts and circumstances of the case and the submissions made by either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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-II, Chengalpet, Chengalpet District**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees**



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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 his Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police every day at 10.30 a.m., until further orders.

[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 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]**.

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

21.03.2023

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