



Crl.O.P.No.6117 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 294(b), 397, 506(2) IPC, in Crime No.78 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Purusothaman is that, he is running a juice shop in the platform nearby electricity board at MGR Road. While so on, 17.02.2023, the accused claiming himself be a rowdy elements of VOC Nagar had threatened him and robbed about a sum of Rs.630 from him at knife point. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He further submit that the petitioner has nine previous cases pending against him, out of which, 6 cases have ended in acquittal and thereby the respondent has foisted a false complaint against him. He further submit that very reading of the FIR indicates that the case has been foisted for the purpose of arresting and



Crl.O.P.No.6117 of 2023

putting the petitioner behind the bar and thereby he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the petitioner is a habitual offender against whom there are nine previous cases are pending against him. He would further submit that the petitioner is a history sheeter in the respondent police station. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel on either sides and perused the entire materials available on record.

6. Taking into consideration the above facts and circumstances of the case and the submissions made by the learned counsel on either side and also the reading of the FIR, 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 XV Metropolitan Magistrate, George Town, Chennai District, on condition that the petitioner



Crl.O.P.No.6117 of 2023

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] (i) the petitioner shall report before the respondent police twice everyday at 8.30 a.m, and 6.30 p.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



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Crl.O.P.No.6117 of 2023

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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;

20.03.2023

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Crl.O.P.No.6117 of 2023