



Crl.O.P.No.7337 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), 392, 397 and 506(ii) of IPC in Crime No.195 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant S.Teekaraman is that he is working as a sales man in TASMAC Shop situated at Vellore Bus Stand, Vellore. On 26.12.2022 at about 4.00 p.m., the petitioner/A3 along with other accused had come to the shop and demanded free liquor from the de-facto complainant and when he has refused to give the same, the petitioner/A3 along with the other accused have snatched a sum of Rs.9,000/- and also threatened the de-facto complainant by showing wooden log and knife. Hence the complaint.



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3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely roped into this case. He further submitted that the sales man in the TASMACH Shop had supplied spurious liquor and when it was questioned by the petitioner and others, a false complaint has been given. He also submitted that the petitioner is ready and willing to furnish solvent sureties and abide by any stringent condition that may be imposed on him. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that on 26.12.2022 at about 4.00 p.m., the petitioner/A3 along with other accused had come to the TASMACH Shop and demanded free liquor from the de-facto complainant and when he has refused to give the same, the petitioner/A3 along with the other accused have snatched a sum of Rs.9,000/- and also threatened the de-facto complainant by showing wooden log and knife. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



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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 the counsel on either sides, 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 No.4, Vellore District**, 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:



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[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 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 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.

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