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CrI.O.P.No.9589 of 2023

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V.LAKSHMINARAYANAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 342, 420, 506(2) and 392 of IPC, in Crime No.83 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is doing real estate business. On 11.03.2023, at about 8.30 a.m, the petitioner along with other accused had threatened him at knife point to pay a sum of Rs.70 lakhs and they also snatched 5.5 grams sovereign gold chain from him. Further, the petitioner along with other accused had taken a sum of Rs.26,000 from the defacto complainant's pocket and Rs.40,000 from his mobile phone through Google Pay. Hence, the case.

3. The learned counsel for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and a false case has been foisted against him for statistical purpose. He further submitted that the co-accused has been released on anticipatory



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bail vide order dated 05.05.2023 in Cr.M.P.No.877 of 2023 by the learned I Additional District and Sessions Judge, Tiruppur. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that a sum of Rs.26,000/- has been recovered from the petitioner and stamp papers have not been recovered. Hence, he opposed for grant of anticipatory bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case, 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, Palladam**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)



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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 everyday at 10.00 a.m., for a period of four weeks and thereafter as and when required for interrogation.

[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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nti/nr

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

24.05.2023

nti/nr

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24.05.2023