



CrI.O.P.No.10804 of 2023

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K.GOVINDARAJAN THILAKAVADI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 394 & 506(i) of IPC in Crime No.137 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 03.04.2023 at 7.00 pm, the defacto complainant while return to home after taking Tea at Jayabal Tea shop, Samiyapuram, the accused persons came in a bike Bajaj Platina bearing reg. No.TN30 BC 5448 and shouted the defacto complainant. When the defacto complainant's son and his friend who were standing in the nearby Med Plus Medicals, questioned the accused persons about their act, they assaulted them and taken away the mobile of the defacto complainant's son which is worth about Rs.18,000/-. Hence, the complaint.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent and a false complaint has been registered against him. He would also submitted that the petitioner is noway connected with the case as alleged by the prosecution. He also submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. side) appearing for the respondent police submitted that the petitioner attacked the defacto complainant and his son and taken away a mobile from them and the said mobile was recovered. However, 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 the submissions and that the petitioner is ready and willing to deposit some amount, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only) to the credit of Charu Home for Aged bearing Account Number: 2771201000291, IFSC Code : CNRB0002771, Canara bank, Mahila Branch, T.Nagar, Chennai - 17 within a period of three weeks from the date on which the order copy made ready**, and on such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned **Judicial Magistral No.II, Salem**, on condition that



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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:

[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 deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) each to the credit of Charu Home for Aged bearing Account Number: 2771201000291, IFSC Code : CNRB0002771, Canara bank, Mahila Branch, T.Nagar, Chennai - 17 within a period of three weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial;

[d] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of four weeks and thereafter, as and when



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required for interrogation.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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]**.

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

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