



Crl.OP.No.12232of 2023

A.D.JAGADISH CHANDIRA, J.

WEB COPY

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 399 and 402 of IPC in Crime No.123 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that on 04.05.2023, the petitioner along with other persons were found moving in a suspicious circumstances with deadly weapons and planned to commit dacoity. Hence, the case.

3. The petitioner is an innocent and he has been falsely implicated in this case on the confession of the arrested accused. He further submit that the arrested co-accused were enlarged on bail and thereby, he would seek anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that the petitioner was found making preparation to commit dacoity and on seeing the police, he had run away from the scene of occurrence and the other arrested accused are still in custody. He would further submit that the petitioner is having one previous against him. Hence, he would vehemently oppose to grant anticipatory bail to the petitioner.

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



including the FIR.

WEB COPY

6. Taking into consideration the facts and circumstances of the case, and the submissions made by both counsel, 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 Metropolitan Magistrate-XVI, George Town, Chennai* on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten 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/trial Court 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 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] 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, as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

[f] if the petitioner herein thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Vv

22.06.2023

A.D.JAGADISH CHANDIRA, J.



WEB COPY



Crl.OP.No.12232 of 2023

Vv

Crl.OP.No.12232 of 2023

22.06.2023