



Crl.O.P.No.12614 of 2023

Crl.O.P.No.12614 of 2023

WEB COPY

A.D.JAGADISH CHANDIRA, J.,

The petitioner, who apprehends arrest at the hands of the respondent/ Police for the offences punishable under Section 399 IPC read with Section 25(1A) Arms Act 1959 in Crime No. 468 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that on 16.05.2023 the respondent police found that the petitioner and three others sitting near lake with deadly weapons. On seeing the police, they ran away from the scene of occurrence. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case on suspicion, since the petitioner happened to be the friend of the main accused. He would further submit that A1 and A2 have been arrested and later A2 has been released on bail and yet another accused has also been granted anticipatory bail by this Court in



CrI.O.P.No.12614 of 2023

WEB COPY

CrI.O.P.No.12154 of 2023 and that he has been suffering from severe urethral problem. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that on 16.05.2023 the respondent police found that the petitioner along with three accused was making preparation to commit dacoit with deadly weapons. He would further submit that the co-accused have been enlarged on bail/ anticipatory bail.

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

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.



Crl.O.P.No.12614 of 2023

WEB COPY

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, Sriperumpudhur** 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.**



CrI.O.P.No.12614 of 2023

[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.

8. Accordingly, the Criminal Original Petition is ordered.

14.06.2023

mfa



WEB COPY



Crl.O.P.No.12614 of 2023

A.D.JAGADISH CHANDIRA, J.

mfa

Crl.O.P.No.12614 of 2023

14.06.2023