



Crl.O.P.No.14568 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 147, 148, 341, 294(b), 336, 397, 506(ii) IPC in Crime No.307 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that petitioner is falsely implicated in the case in Crime No.307 of 2022 for the offences under Sections 147, 148, 341, 294(b), 336, 397, 506(ii) IPC. The case was registered falsely, only with a view to harass the petitioner and to detain him under gundas Act.

3. Learned Government Advocate (Criminal side) submitted that, petitioner has one previous case pending for the offence under Section 302 IPC in Crime No.1019 of 2021. Subsequently, he was detained under gundas Act and then the detainment was revoked. The investigation in this case is not completed.



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4. Considered the submissions and perused the records.

5. It is seen from the first information report allegations that, incident said to have been happened at 9.00 a.m. on 25.07.2022. The accused said to have waylaid the defacto complainant and demanded money for consumption of alcohol. When he refused to give money, defacto complainant was threatened at knife point, accused took Rs.1000 from defacto complainant's pocket and threatened that, he would be murdered.

6. Though first information report was registered on 25.07.2022, it is reported that final report is not filed in this case. It is also informed that, co-accused was already arrested and released on bail.

7. In such circumstances, 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,



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before the learned XVIII Metropolitan Magistrate, Saidapet, 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 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 10.30 a.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.



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[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.

30.06.2023

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