



Crl.O.P.No.14857 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, 294(b), 336, 504, 506(ii) and 380 of IPC in Crime No.129 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. It is the submission of the learned counsel for the petitioner that, petitioner is the sister of the 1st accused and she is nothing to do with the incidents alleged in the FIR. 1st accused is the wife of the defacto complainant and the allegations are that, on 23.04.2022 at about 06.00.a.m., 1st accused along with others had taken the gold jewels, passport and other documents and articles which belong to the defacto complainant at gun point. This Court on 06.07.2023 directed the petitioner to appear before the respondent police for investigation purpose, accordingly, petitioner appeared before the Investigation Officer on 12.07.2023 and participated in the investigation. He further submitted that, some of the co-accused were granted anticipatory bail.



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3. In response, learned Government Advocate (Crl. Side)

submitted that, investigation in this case is not completed.

4. Considered the nature, facts and circumstances of the case.

FIR is said to have been registered on 08.05.2022. Even after completion of more than a year, respondent police has not taken efforts to arrest the accused. Considering that some of the accused were granted anticipatory bail and that petitioner is co-operating with the investigation, this Court is inclined to grant anticipatory bail to the petitioner.

5. Accordingly, 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 XVIII, Metropolitan Magistrate, Saidapet**, on condition that 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:

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[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.

[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



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can be registered under Section 229A IPC.

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