



Crl.O.P.No. 15968 of 2023

Crl.O.P.No. 15968 of 2023

WEB C **G.K.ILANTHIRAIYAN, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b) and 394 of IPC in Crime No.314 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner, along with other accused, waylaid the defacto complainant and robbed a sum of Rs.100/- from the defacto complainant. 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. He further submitted that he is ready to abide by any stringent condition that may be imposed on him. Therefore, he prays anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner along with other accused waylaid the defacto complainant and robbed a sum of Rs.100/- from the defacto complainant. He further submitted that the petitioner is having eight previous cases pending against him. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



WEB COPY

5. Though it is stated that the petitioner was involved in eight previous cases, all the cases were registered by the respondent police only for statistical purpose. Even in the present case, the petitioner along with other accused robbed a sum of Rs.100/- from the defacto complainant, sofar the respondent police failed to take any steps to secure the petitioner.

6. Considering the above fact and circumstances of the case and also the submissions made by the learned counsel on either side and the crime is of the year 2022, 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 District Munsif-cum-Judicial Magistrate, Neyveli, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood related 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



Crl.O.P.No. 15968 of 2023

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 daily at 10.30 a.m. and 5.30 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] 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.

26.07.2023

Lpp



WEB COPY



Crl.O.P.No. 15968 of 2023

G.K.ILANTHIRAIYAN, J.
Lpp

Crl.O.P.No.15968 of 2023

26.07.2023