



Crl.O.P.No.16958 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 Section 147, 294 (b), 323 and 506 (ii) and 379 I.P.C. in Crime No.197 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.It is the submission of learned counsel for the petitioner that petitioner is falsely implicated and his name is not shown as an accused in Crime No.197 of 2023 for the offences under Section 147, 294 (b), 323 and 506 (ii) and 379 I.P.C. Petitioner is innocent. Apprehending arrest, this petition is filed seeking anticipatory bail.

3.In response, the learned Government Advocate (Criminal side) submitted that at about 6.00 p.m. on 26.06.2023, when the *de-facto* complainant came from Recreation Club after meeting his friend, the accused had abused him, then attacked him for no reason. Thereafter, the *de-facto* complainant started in his bike to visit Shakthi Nursing Home for taking treatment for his eye, the accused followed him and snatched his five sovereigns of gold chain and made criminal intimidation. Thus, the Police is investigating the



case, especially, the allegation as to whether five sovereigns of gold chain was really snatched from the *de-facto* complainant. Injured had been treated and discharged from hospital.

4.Considered the submissions and perused the records.

5.Considering the nature of the allegations, the fact that co-accused had been granted bail and anticipatory bail, and also that injured had been discharged from hospital, this Court is inclined to grant anticipatory bail to the petitioner for the reason that custodial interrogation of the petitioner is not necessary. 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 No.I, Erode**, 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].



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[f] If the accused thereafter absconds, a
fresh FIR can be registered under Section 229A IPC.

02.08.2023

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