



Crl.O.P.No.18560 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioner/A1, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 387 and 506(ii) of I.P.C, in Crime No.232 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 25.07.2023, the de-facto complainant while riding in his two wheeler near railway bridge, Big Bazaar street. The petitioner and other accused intercepted him and the petitioner demanded the de-facto complainant to drop him near Surya Boiler shop situated at Palayamthottam. At that time, the other accused were followed them in a two wheeler. All of a sudden, the petitioner and other accused abused the de-facto complainant in filthy language and assaulted him by using hand and threatened him by knife and robbed a sum of Rs.320/-. Hence the case.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent person and due to previous enmity, the



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petitioner is falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that the petitioner abused the de-facto complainant and assaulted the de-facto complainant and threatened by using knife and robbed a sum of Rs.320/-. Two previous cases are pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioners.

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 and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner.



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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-V, Coimbatore** on condition that the petitioner shall execute a separate 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 petitioners 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 learned Judicial Magistrate-II, Tiruppur, everyday at 10.30 a.m., for a period of four weeks;**

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

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