



Crl.O.P.No.22505 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 147, 148, 341, 294(b), 323, 324, 336, 427, 397 and 506(2) of IPC in Crime No.81 of 2023 on the file of the respondent police, seek anticipatory bail.

2. It is the submission of the learned counsel for the petitioners that, the petitioners have been falsely implicated as 3rd and 5th accused in Crime No. 81 of 2023 registered for the offences under Sections 147, 148, 341, 294(b), 323, 336, 427, 397 and 506(2) of IPC.

3. It is stated by the learned Government Advocate (Criminal side) that the petitioners herein, who are A3 and A5, along with other accused, had waylaid the defacto complainant and threatened him and demanded Rs.1,000/-. It is further stated that 1st petitioner is having 3 other previous cases and 2nd petitioner is having one previous case. It is also stated that co-accused were released on bail.



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4. In response, the learned counsel for the petitioners questioned the veracity of the complaint itself.

5. Taking an over all consideration of the entire issue, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Ambattur, Chennai** on condition that the petitioners 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.



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[b] the petitioners shall report before the respondent Police, daily at 10.30 a.m., until further orders;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 absconds, a fresh FIR can be registered under Section 229A IPC;

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