



WEB COPY



Crl.O.P.No.23363 of 2023

Crl.O.P.No.23363 of 2023

C.V.KARTHIKEYAN, J.

The petitioner/A2 who apprehends arrest at the hands of the respondent police for the offence punishable under Section 386 of IPC in Crime No.1639 of 2020, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused had robbed a sum of Rs.500/- and one cell phone of the defacto complainant. Hence, the case was registered against the petitioner.

3.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the 1st accused had been granted bail in Crl.M.P.No.3384 of 2020. Hence, he prays for grant of anticipatory bail to the petitioner.

4.On the side of the respondent, it is stated that there are six previous case against the petitioner, but the other accused had been granted bail.

5.Taking into consideration the fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner herein



Crl.O.P.No.23363 of 2023

with certain conditions.

6. 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 – II, Nagapattinam, on condition that the petitioner shall execute a 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 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., until further orders.



Crl.O.P.No.23363 of 2023

[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.

12.10.2023

smv

C.V.KARTHIKEYAN, J.

smv



WEB COPY



Crl.O.P.No.23363 of 2023

Crl.O.P.No.23363 of 2023

12.10.2023