



Crl.O.P.No.23916 of 2023

WEB COPY

Crl.O.P.No.23916 of 2023

C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b) and 384 of IPC in Crime No.462 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant was travelling in car along with his family. At that time this petitioner and other accused persons had obstructed the car and demanded money and robbed Rs.2,000/-. Hence, the complaint.

3. The learned counsel for the petitioner stated that this petitioner is a friend of Accused No.1. This petitioner was not at all present at the scene of occurrence. This petitioner had not committed any offence as alleged by the respondent police. He further stated that co-accused have already been arrested and released on bail. The learned counsel for the petitioner further submits that the petitioner has been arrayed as Accused No. 3 in this case. Hence, he prays for grant of anticipatory bail.



CrI.O.P.No.23916 of 2023

WEB COPY

4. The learned Government Advocate appearing for the respondent police submitted that this petitioner and other accused persons had obstructed the car and demanded money and robbed Rs.2,000/-. Accused No.1 and 2 had been secured at the place of occurrence and released on bail. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the above facts, this Court is inclined to grant anticipatory bail to the petitioner herein 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 Court -II, Mettur** 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



Crl.O.P.No.23916 of 2023

WEB CODE

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 appear before the respondent police daily at 10.30 a.m., for the period of two weeks and thereafter as and when required.

[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



Crl.O.P.No.23916 of 2023

WEB COPY

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.

18.10.2023

gvn/nsl



WEB COPY



Crl.O.P.No.23916 of 2023

C.V.KARTHIKEYAN, J.
gvn/nsl

Crl.O.P.No.23916 of 2023

18.10.2023