



Crl.O.P.No.23930 of 2023

Crl.O.P.No.23930 of 2023

WEB COPY

C.V.KARTHIKEYAN, J.

The petitioner/A5 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 399 and 402 of IPC Crime No.493 of 2023, seeks anticipatory bail.

2.It is stated that on 08.08.2023, the respondent had found the petitioner and the other accused standing with knife and wooden articles to commit dacoity. It is also stated that the petitioner herein had escaped and the other accused had been secured, but had been granted bail by the learned Principal Sessions Judge in Crl.O.P.Nos.19943 of 2023 and 20065 of 2023 dated 14.08.2023 and 17.08.2023 respectively.

3.On the side of the respondent, it is stated that there are six previous cases pending against the petitioner and most of them are similar in nature and also one case under Section 307 IPC.

4.The learned counsel for the petitioner stated that the petitioner has been unnecessarily implicated in many of the cases.

5.In view of the facts stated, this Court is inclined to grant anticipatory bail to the petitioner herein with certain conditions.



Crl.O.P.No.23930 of 2023

WEB COPY

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 XV Metropolitan Magistrate, George Town, Chennai, 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., 2.30 p.m., and 5.30 p.m., until further orders. The said condition should be complied with atleast for a period of twelve weeks before any relaxation petition is filed.



WEB COPY



Crl.O.P.No.23930 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.

02.11.2023

smv



WEB COPY



CrI.O.P.No.23930 of 2023

C.V.KARTHIKEYAN, J.

smv

CrI.O.P.No.23930 of 2023

02.11.2023