



Crl.OP.No.27553 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/A1 and A2 in Crime No.612 of 2023, registered under Sections 341, 294(b), 323, 336, 427, 397 and 506(ii) of IPC with reference to an occurrence which took place on 30.8.2023.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

3.There are totally four accused. It is stated that they had committed robbery of Rs.3,000/- and threatened the de facto complainant. It is stated that two other accused had been granted bail. As against the 1st petitioner/A1, there are 10 previous cases and as against the 2nd petitioner/A2, there are 14 previous cases all of similar in nature. But, however taking into consideration the fact the surrounding factors of this particular case, anticipatory is granted.

4.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners/A1 and A2 with certain conditions.



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5. Accordingly, the petitioners/A1 and A2 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 No.II, Poonamallee**, on condition that each of 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.

[b] **the petitioners/A1 and A2**, to appear before the respondent **everyday morning, afternoon and evening, 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.



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[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.

07.12.2023

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