



Crl.O.P.No.29171 of 2023

Crl.O.P.No.29171 of 2023

WEB C **P.DHANABAL, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 399 IPC in Crime No.1662 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with his friends has making preparation for the commission of decoity. Hence, the complaint.

3. The learned counsel for the petitioner would contend that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) would submit that there are totally five accused in this case. He would also submit that there are two previous cases pending against the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



Crl.O.P.No.29171 of 2023

WEB COPY 5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and also considering the nature of the offences charged against the petitioner and also the fact that the co-accused were already released on bail, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions.

7. 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 No.1, Tiruppur** 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 learned Magistrate concerned and on further condition that:

[a] **the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of thirty days and thereafter as and when required for interrogation.**

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.



Crl.O.P.No.29171 of 2023

[c] the petitioner shall not abscond either during investigation or

trial.

[d] 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

28.12.2023

rkp/nr



WEB COPY



Crl.O.P.No.29171 of 2023

P.DHANABAL,J

rkp/nr

Crl.O.P.No.29171 of 2023

28.12.2023