



Crl.OP.No.380 of 2024

Crl.O.P.No.380 of 2024

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C.V.KARTHIKEYAN,J.

The petitioner/accused in Crime No.495 of 2023 registered by the respondent police for the offences punishable under Sections 341, 294(b), 394 and 506(ii) of IPC with respect to an occurrence which took place on 16.12.2023 seeks anticipatory bail .

2. It is stated that the petitioner had restrained the defacto complainant and demanded money and robbed a sum of Rs.350/- along with other accused.

3. When the matter came up on the previous hearing on 29.01.2024, it was informed that in one offence, Non Bailable Warrant has been issued against the petitioner. It is stated that subsequently the petitioner had surrendered before the concerned Court and Non Bailable Warrant had also been recalled.



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4. The learned Government Advocate (Crl.Side) states that there are twelve previous cases against the petitioner and that he is also History Sheeter.

5. However, taking all the factors into consideration and taking facts of this case independently, this Court is inclined to grant anticipatory bail to the petitioner subject to the following 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 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, 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:



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[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 on everyday at 10.30 a.m until further orders.

[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.

05.02.2024

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