



WEB COPY



Crl.O.P.No.3181 of 2024

T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence under Sections 394, 397 IPC in Crime No. 891 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 24.12.2023, the petitioner along with other accused persons standing nearby to his bike bearing registration No. TN 32 BD 3823 and the same was questioned by the defacto complainant, at that time the accused persons assaulted him with knife. Hence, the law enforcing agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submit that the petitioner has not committed any offence as alleged by the prosecution. Further, he submitted that based on the confession the petitioner implicated



in this case. However, on instructions, the learned counsel further submitted that the petitioner, on his own volition, is ready and willing to contribute a some amount to the charitable purpose as imposed by this Court. Learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned **Government Advocate (Crl side)** submits that the petitioner along with other accused persons assaulted the defacto complainant with knife while stealing the defacto complainant's bike. Further, there are seven previous case pending against the petitioner. He vehemently oppose for granting anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, the petitioner has discharged from the hospital. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial



WEB COURT

magistrate - II, Villupuram, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each**, 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 and on further condition that:

[a] the petitioner is directed to deposit a sum of Rs.20,000/- (Rupees TwentyThousand only) to the credit of crime No. 891 of 2023 within a period of two weeks from the date of receipt of copy of this order and the victim is permitted to withdraw the same.

[b] 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.

[c] the petitioner is directed to report before the respondent police daily at 10.30 a.m., until further orders

[d] the petitioner shall not tamper with evidence or



WEB COPY



witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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 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]**.

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

04.04.2024

pbl



WEB COPY



T.V.THAMILSELVI, J.

pbl

Crl.O.P.No.3181 of 2024

04.04.2024