



Crl.O.P.No.5884 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/A6 seeks anticipatory bail in Crime No.539 of 2023 registered by the respondent Police for the offences punishable under Sections 147, 148, 447, 294(b), 341, 392, 397, 506(ii) of IPC.

2. It is stated that the Accused Nos.1 to 4 had been arrested and had been granted bail.

3. The petitioner along with other accused had demanded mamool from the defacto complainant. When the defacto complainant refused, the accused had abused and had threatened him at knife point and had snatched a sum of Rs.5,000/-.

4. However, taking all the other factors into consideration and that there are no previous case against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner, but however, **directing the petitioner to deposit an amount of Rs.30,000/- (Rupees Thirty Thousand only) as non refundable deposit to the credit of Crime No.539 of 2023 before the learned Judicial Magistrate No.II, Tambaram. The said amount may be handed over by the learned Judicial Magistrate No.II, Tambaram to the Dean, Government Medical College and Hospital,**



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Chennai, for treating the needy patients and on such deposit a receipt of such payment shall be produced before the concerned Magistrate at the time of executing the sureties. It is made clear that merely, because the petitioner deposits the said amount, it would not amount to admission of his guilt. Therefore, it is open to the trial Court to deal with the case independently.

5. 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 Judicial Magistrate No.II, Tambaram, 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



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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.

12.03.2024

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