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Crl.O.P.No.6954 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner / A4 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 341, 294(b), 336, 427, 392, 397 and 506(2) of Indian Penal Code, 1860 in Crime No.207 of 2023, seeks anticipatory bail.

2All the accused had gone over to the market and had demanded mamool bribe from the shop keepers. When the defacto complainant refused, he was attacked and Rs.800/- was snatched. A1 had been arrested and had been granted bail. A2 had been detained under Tamil Nadu Act 14 of 1982. It is stated that there are two previous cases against the petitioner herein.

3.Earlier anticipatory bail was dismissed on 29.02.2024 in Crl.O.P.No.4749 of 2024. But however, subsequently, the Investigating Officer had recorded the statements from nine witnesses.



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4.Taking all the factors into consideration and also that there has been substantial progress in the investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

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 learned Judicial Magistrate – II, Alandur, Chennai District, 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.



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[b] the petitioner shall report before the respondent police 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.

16.04.2024

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