



Crl.O.P.No.8781 of 2024

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 384 of IPC in Crime No.127 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with two other accused had attacked the defacto complainant by using stones and robbed a sum of Rs.100/- from him. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that without prejudice, the petitioner is ready to deposit a sum of Rs.10,000/- to the credit of Crime No.127 of 2024. Therefore, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (crl.side) appearing for the respondent Police would submit that the petitioner along with other accused attacked the defacto complainant and robbed a sum of Rs.100/- from him. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.



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5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6.Taking into consideration the facts of the case and the submissions made by the learned Counsel on either side, 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, Cheyyar, 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 sureties shall affix their photographs and
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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 station on every Saturday at 10.30 a.m., for a period of eight weeks;

[c]the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.127 of 2022, before the concerned Magistrate, at the time of furnishing sureties and the learned Magistrate shall disburse the said amount to the defacto complainant.

(d)the petitioner shall not tamper with evidence or 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 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]*; and;



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(g)if the accused thereafter absconds, a fresh
FIR can be registered under Section 229-A IPC;

10.04.2024

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