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Crl.O.P.No.9061 of 2024

T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence under Sections 399 IPC in Crime No. 457 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioner along with other persons were prepared to commit dacoity on seeing the police the petitioner and other fled from the spot and other two was secured by the respondent. Hence, the case.

3.The learned counsel appearing for the petitioner submit that the petitioner has not committed any offence as alleged by the prosecution. Learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned **Government Advocate (Crl side)** submits that petitioner along with other persons were prepared to commit dacoity on



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seeing the police the petitioner and other fled from the spot. Further, he stated that the petitioner is having one previous cases. However, vehemently opposed for granting anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the investigation is almost completed. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are 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 Magistrate No. II, Poonamallee, 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 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 stay at Periyakulam and report before the Periakulam Town Police Station daily 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 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]**.



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

15.04.2024

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