



Crl.O.P.No.9397 of 2024

T.V.THAMILSELVI, J.

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The petitioner, who apprehends arrest for the alleged offences punishable under Sections 392, 394, 397 of IPC in Crime No.127 of 2009 on the file of the respondent/police, seeks anticipatory bail.

2.It is the case of the prosecution that the defacto complainant was working as Manager in Tasmac shop, on 21.04.2009 at about 10.00 p.m. he took the collection amount of Rs.71,435/- and was going towards his house in a two wheeler and the same was informed by A4 to the other accused. All the accused intercepted the defacto complainant and robbed Rs.71,435/- by showing knife. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is undertake to co-operative with the trial proceedings and also ready to appear on every hearing without fail before the satisfaction Court. He is hailing from a respectable family and if he has been arrested his family's reputation will be spoiled. He is ready to abide by any condition imposed by this Court and to give full co-operation to the police enquiry. Hence, the learned



counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) submitted that the petitioner is a habitual offender and hence he vehemently opposed for grant of anticipatory bail to the petitioner.

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

6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is directed to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate-II Chidambaram**, 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 the petitioner, or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

*(b) the petitioner shall appear before the **Judicial Magistrate-II Chidambaram** on every Tuesday at **10.30 a.m. for a period of six months;***

(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 Judge himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560];** and;*

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

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