



Crl.O.P.No.10114 of 2024

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 399 and 402 of IPC in Crime No.248 of 2024, seek anticipatory bail.

2. The case of the prosecution is that on 23.03.2024, the respondent police received secret information and they went along with his team to the scene of occurrence and found that the petitioner along with three others assembled unlawfully and planned to commit dacoity. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submits that they are ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the



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respondent submitted that the petitioners along with three others planned to commit dacoity with the help of three knives. He further submits that the first petitioner has 18 previous cases and the second petitioner has no previous case pending against them. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the second petitioner. **As far as the first petitioner is concerned, anticipatory bail petition is dismissed.**

6. Accordingly, the second petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned XV Metropolitan Magistrate, George Town, Chennai*, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the



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satisfaction of the learned Magistrate concerned and on further condition that:

(a) the second 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 second petitioner shall report before the respondent police daily at 10.30 a.m, for a period of three months;

[c] the second petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the second 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 second petitioner in accordance with law as if the conditions has been imposed and the second petitioner is 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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[f] if the accused thereafter absconds, a fresh FIR
can be registered under Section 229-A IPC;

25.04.2024

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