



Crl.O.P.No.11800 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(b), 324, 506 (2), 379 IPC in Crime No.132 of 2024, seeks anticipatory bail.

2.Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that defacto complainant and petitioner are brothers. There was a property dispute between them. When the defacto complainant came to the house of the petitioner to visit his parents, there was a wordy quarrel aroused between them. When the defacto complainant was going to his house in two wheeler, petitioner attacked the defacto complainant and robbed Rs.2,00,000/- from him. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.



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4.The learned counsel appearing on behalf of the defacto complainant raised an objection for grant of anticipatory bail to the petitioner for the reason that due to the conduct of the petitioner, he suffered 24 stitches and Rs.2,00,000/- was also robbed.

5.Taking into consideration the facts and circumstances of the case and also the fact that the petitioner on his own volition, is ready to deposit an amount of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the 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 Judicial Magistrate, Kalasapakkam, Tiruvannamalai District*** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties (out of which, one surety must be a blood surety), for a like sum to the satisfaction of the respondent police or the police



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officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each to the credit of Cr.No.132 of 2024 before the concerned Magistrate within a period of three weeks from the date of receipt of a copy of this order and the victim is permitted to withdraw the same.

[b] 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;

[c] the petitioner shall report before the respondent police every alternative days at 10.30 a.m. for a period of two 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;



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[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.

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