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Crl.O.P.No.12560 of 2024

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S.SOUNTHAR, J.

The petitioner seeks anticipatory bail in Crime No.244 of 2024 registered by the respondent Police for the offences under Sections 294(b), 392, 397 and 506(ii) of IPC.

2. The case of the prosecution is that the petitioner along with other accused waylaid the defacto complainant and threatened him in knife point and snatched a sum of Rs.500/- from the defacto complainant. The petitioner along with other accused person attacked the defacto complainant with hands, and threatened him with dire consequences, resulting him in sustaining simple injuries. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence alleged by the prosecution. Hence, he seeks for anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that injured has been discharged from the hospital. However, he vehemently



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opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail with certain conditions.

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 days from the date on which the order copy made ready, before the **learned District Munsif cum Judicial Magistrate, Madhavaram**, 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 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 report before the respondent



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police daily at 10.00.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 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;

29.05.2024

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