



Crl.O.P.No.13406 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 379 of IPC now altered to Section 397 of IPC, in Crime No. 232 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that, on 27.04.2024, while the defacto complainant was on his way back to home with Rs.49,000/-, he lost his money and six unknown persons committed the theft. Hence, the complaint.

3. Learned counsel for the petitioner appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner's name is not mentioned in the FIR. He also stated that the petitioner, in order to show his bonafide, is ready to deposit a sum of Rs.10,000/- to the credit of crime number. Hence he prays to grant anticipatory bail to the petitioner.



4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that there are totally five accused in this case and the petitioner is arrayed as A6. He further submitted that the petitioner along with other accused was engaged in committing robbery against the defacto complainant. He further submitted that only a sum of Rs.2,000/- has been recovered. He further submitted that the petitioner has one previous case and the investigation is almost completed. Hence, he opposed to grant anticipatory bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner and also taking note of the fact that in order to show his bonafide, the petitioner is ready to deposit a sum of Rs.10,000/- to the credit of the Crime Number, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered 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 No.2, Ulundurpet**, 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 stands dismissed and on further condition that:

[a] the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.232 of 2024 before the concerned Magistrate within a period of two weeks from the date of receipt of a copy of this order and on such deposit, the de-facto complainant is permitted to withdraw the same, on filing undertaking affidavit and proper identification and acknowledgment."

[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 daily at 10.30 a.m. for a period of eight weeks and thereafter, as and when required for interrogation;

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

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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]**;

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

10.06.2024

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