



Crl. O.P. No.19025 of 2024

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WEB C P.DHANABAL.J.,

The petitioner apprehends arrest for the alleged offences under Sections 341, 294(b), 323, 384, 506(i) of IPC in Crime No.113 of 2024, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that on 11.02.2024 around 7.00 p.m. at Tondiarpet, Netaji Nagar near Nadar Marriage Hall, the petitioner along with two other accused, waylaid the defacto complainant, abused him with filthy language, threatened and robbed a sum of Rs.2,000/- from the defacto complainant. Hence the case.

3.The learned counsel for the petitioner would contend that the petitioner is an innocent and he has not indulged in any activities as alleged in the F.I.R and he has been falsely implicated in this case by the respondent police and the name of the petitioner has not been mentioned in the FIR and the co-accused has been arrested and released on bail and hence he seeks anticipatory bail.

4.The learned Government Advocate (Criminal Side) would submit



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that the petitioner along with other accused robbed a sum of Rs.2,000/- at knife point and there is one previous case as against the petitioner and hence he objected to grant anticipatory bail to the petitioner.

5. Heard both side and perused the materials available on record.

6. Considering the rival submissions on either side, considering the fact that the co-accused was arrested and released on bail, considering the fact that the name of the petitioner has not been mentioned in the F.I.R. and considering the nature of offences, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. 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 **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 each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police on every day at 10.00 a.m.; for a period of 30 days and thereafter as and



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when required for investigation.

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[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S. 2023.

08.08.2024

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To

1. The XV Metropolitan Magistrate, George Town, Chennai.
2. The Inspector of Police, H6 RK Nagar Police Station, Chennai.
3. The Public Prosecutor, High Court, Madras.



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