



Crl.O.P.No.18908 of 2024

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P.DHANABAL,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 304(2) of BNS @ 310(2) of BNS, in Crime No.206 of 2024, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that, on 09.07.2024 at about 1.00 a.m, the petitioner along with other accused persons snatched the defacto complainant's cellphone. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated and due to previous enmity, a false case has been foisted against him. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that, on the date of the alleged occurrence, when the



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defacto complainant was returning home after completing his work, at that time, the petitioner along with other accused snatched the defacto complainant's Redmi Note9 mobile phone. He would further submit that the property was recovered from the petitioner, and thereby, he strongly opposed for the grant of anticipatory bail to the petitioner.

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

5. Considering the submissions made by the learned counsel on either side, and considering the fact that the property was already recovered, nature of offence, and there was no previous case against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner 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 XIV Metropolitan Magistrate, Egmore, Chennai, on condition that the petitioner



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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 daily at 10.30 a.m., until further orders.

[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.

08.08.2024

drl



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