



Crl.O.P.No.19105 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 147, 294(b), 323, 392, 397 & 506(ii) of IPC, in Crime No.2136 of 2016, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused, committed waylaid robbery, demanded money from the public. The respondent police registered the case and tried to arrest the petitioner. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated, since the respondent put up a false case against the petitioner in the year 2016, after 7 years, the respondent tried to arrest the petitioner. He further submitted that the petitioner has not committed any offence as alleged by the prosecution. He would further submit that he is ready to abide by any conditions that may



Crl.O.P.No.19105 of 2024

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 the petitioner along with other accused, committed waylaid robbery, demanded money from the public. He would further submit that the petitioner has five previous cases, out of which, two cases were dropped, and thereby, he strongly opposed for the grant of anticipatory bail to the petitioner.

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

6. Considering the submissions made by the learned counsel on either side, and considering the fact that the case is pending from 2016, so far investigation is not yet completed and the injured was discharged from the hospital and also considering all other factors, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



CrI.O.P.No.19105 of 2024

WEB COPY

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 XVIII Metropolitan Magistrate, Saidapet, 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 Metropolitan Magistrate No.XVIII, Saidapet, Chennai, everyday 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



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Crl.O.P.No.19105 of 2024

P.DHANABAL, J.

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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.

12.08.2024

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Crl.O.P.No.19105 of 2024