



Crl.OP.No.20087 of 2024

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P. DHANABAL, J.

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The petitioner / accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 399 of IPC and 25(1A) of ARMS Act, in Crime No.566 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner along with other co-accused were planning to commit dacoity with weapons and escaped from the place of occurrence. Hence the complaint.

3. The learned counsel for the petitioner would contend that just because the petitioner is the friend of A1, he has been falsely implicated in this case. He would further submit that the petitioner is innocent and he has not involved in the offences as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioner.

4. The Government Advocate (Criminal side) for the respondent would submit that there are totally five accused in this case and the petitioner is arrayed as A5. He would further submit that the petitioner along with other co-accused were prepared to commit dacoity and on



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seeing the police, they escaped from the place of occurrence. A1 and A3 were granted bail and A5 has been granted anticipatory bail. He would further submit that the petitioner has three previous cases.

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

6. Considering the nature of offences and considering the fact that no one has been injured in this case and also considering that the co-accused has been granted bail, I am inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is **allowed** and the petitioner is ordered to be released on anticipatory bail in the event of his arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate Court, Sriperumbudur**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties 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.



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[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous permission of the Court;

[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 269 B.N.S.2023.

21.08.2024

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To

1. The Judicial Magistrate Court,
Sriperumbudur.
2. The Sub-Inspector of Police,
Sriperumbudur Police Station,
Kancheepuram District.
3. The Public Prosecutor,
Madras High Court,
Chennai.

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