



Crl.O.P.No.20488 of 2024

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P.DHANABAL,J.

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The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 384 and 506(ii) of IPC, in Crime No.57 of 2022, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is running a waste paper shop. On 12.02.2022, at about 8.00 a.m., when the defacto complainant was doing his routine work in the shop, the petitioner/A2 along with A1, demanded mamool from the defacto complainant and when the same was refused by the defacto complainant, the accused extracted Rs.800/- from the defacto complainant at knife point and also threatened him with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has not committed any such offence as alleged by the prosecution. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed to grant anticipatory bail to the petitioner stating that the petitioner/A2 along with A1, extracted a sum of Rs.800/- from the



defacto complainant at knife point. However, he submitted that A1 was arrested and thereafter, released on bail and the said amount has been recovered from A1 and that there is no previous case against the petitioner.

5. Considering the submissions of both sides and also of the fact that A1 has already been released on bail and the money was also recovered from A1 and that there is 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 (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate No.I, Tambaram**, 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 and on further condition that:

[a] the petitioner shall report before the respondent police on every Saturday 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



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trial.

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[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 v. State of Kerala [(2005) AIR SCW 5560].

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

23.08.2024

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To

- 1.The Judicial Magistrate No.I, Tambaram.
- 2.The Inspector of Police, S-15 Selaiyur Police Station, Chennai.
- 3.The Public Prosecutor, High Court, Madras-600 104.



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