



Crl.O.P.No.20911 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 341, 294(b), 392, 397, 506(2) of IPC, @ 147, 148, 341, 294(b), 120(b), 392, 397, 506(2) of IPC in Crime No.215 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that on 18.03.2024, the petitioner along with other accused waylaid the defacto complainant and extorted the phone from the de-facto complainant at knife point. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner along with other accused extorted the phone from the de-facto complainant at knife point. There are four previous cases pending as against the petitioner. Hence, he strongly opposed to grant anticipatory bail to the petitioner.



5. Considering the submissions of both sides and considering the nature of the offence, that the petitioner has already been granted bail in all the previous cases and the investigation almost completed, 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, Tiruvottiyur**, 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 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

29.08.2024

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To

1. The Judicial Magistrate, Tiruvottiyur.
2. The Inspector of Police,
M5-Ennore Police Station,
Tiruvallur District.
3. The Public Prosecutor, High Court, Madras.



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