



Crl.OP.No. 22133 of 2024

P. DHANABAL, J

The petitioner/A3 who apprehends arrest for the alleged offences punishable under Sections 392 of IPC in Crime No. 301 of 2024 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons waylaid the de-facto complainant and they had assaulted and robbed the mobile phone of the de-facto complainant with knife point. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution. He further submitted that the petitioner has been falsely implicated in this case based on the confession statement of the co-accused and co-accused had been arrested and released on bail and no previous case is pending against him. He further submitted that the petitioner is ready and willing to abide any stringent conditions may be imposed by this Court. Therefore, he



prayed for grant of anticipatory bail to the petitioner.

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4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted that the petitioner along with other accused persons waylaid the de-facto complainant and they had assaulted and robbed the mobile phone of the de-facto complainant with knife point. He further submitted that mobile phone not recovered and one previous case is pending. He further submitted that already co-accused had been arrested and released on bail. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the above submissions made by the learned Counsel on either side, considering the nature of offences, already co-accused had been arrested and released on bail, there is one previous case pending against the petitioner, and considering all other aspects, 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 them appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned XXIII*



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Metropolitan Magistrate, Saidapet, Chennai, on condition that the petitioner shall execute a separate 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 and the sureties shall affix their photograph and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police on daily at 10.00 am until further orders.

[c] 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 them from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

[d] the petitioner shall not leave India without the prior permission of the Court.



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[e] the petitioner shall not abscond either during investigation or trial;

[f] 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 is 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]***; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS;

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