



CrI.O.P.No25687 of 2024

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P.DHANABAL,J.

The petitioner/A3, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 191(2), 191(3), 126(2), 296(b), (4), 311, 351(3), 125, 324(4) of BNS 2023 in Crime No.404 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with others had robbed a sum of Rs.9000/- from the defacto complainant at knife point and assaulted the defacto complainant and public by way of throwing stones and threatened them with dire consequence. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He further states that the petitioner is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent submits that the petitioner along with others had robbed a sum of



Crl.O.P.No25687 of 2024

Rs.9000/- from the defacto complainant at knife point and assaulted the defacto complainant and public by way of throwing stones and threatened them with dire consequence. He further submits that the petitioner is having five previous cases, which are similar in nature. He further submits that totally, there are 11 accused involved in this case, the petitioner herein is arrayed as A3 and some of the co-accused were arrested and still in prison. Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Considering the nature of offence, the prime accused had already been arrested, the money involved in this case, though the petitioner is having five previous, bail was granted to him in all cases and considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

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 **Judicial**



CrI.O.P.No25687 of 2024

Magistrate-II, Alandur, 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 Inspector of Police, Sivakanchi Police Station, Kancheepuram 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 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



CrI.O.P.No25687 of 2024

under Section 269 B.N.S.

30.10.2024

Vv

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Crl.O.P.No25687 of 2024

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Crl.O.P.No.25687 of 2024

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