



CrI.O.P.No26470 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 Section 379 of IPC in Crime No.120 of 2022 seeks anticipatory bail.

2. The case of the prosecution is that when the defacto complainant was standing near the Wall Tax Road, waiting for a bus to Koyambedu, at that time, two unknown individuals arrived there on a two wheeler and snatched defacto complainant's mobile phone. 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 submits that based on the confession statement of the co-accused, he was impleaded in this case. He further submits the petitioner is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (CrI.Side) appearing for the respondent submits that the petitioner along with another had snatched his defacto complainant's mobile phone. He further submits that the mobile phone was not recovered, the petitioner is having three previous cases and the prime accused/A1 was arrested and released on bail. However, 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 (CrI.Side) and perused the materials available on record.

6. Considering the nature of offence, based on the confession statement of the co-accused, only the petitioner was impleaded in this case, though the petitioner is having three previous cases, in all the cases bail was granted to him and also the fact that the co-accused was released on bail and considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:



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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 **VIII Metropolitan Magistrate Court, George Town, Chennai-01** 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 respondent police 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



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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 under Section 269 B.N.S.

25.10.2024

Vv



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