



Crl.O.P.No27169 of 2024

Crl.O.P.No.27169 of 2024

WEB COPY

P.DHANABAL,J.

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Section 395 of IPC in Crime No.454 of 2020 seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with friends had snatched the mobile phone of the defacto complainant's brother with knife point and also picked the money purse of the defacto complainant 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.



CrI.O.P.No27169 of 2024

WEB COPY

4. The learned Government Advocate (CrI.Side) appearing for the respondent submits that the petitioner along with his friends snatched the defacto complainant brother's two mobile phones and also picked the purse of the defacto complainant, subsequently, A1 to A5 were arrested and enlarged on bail. He further submits that the the mobile phones were recovered and there is no previous cases against the petitioner. 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, property had already been recovered, there is no previous case against the petitioner and also the fact that the co-accused had already been arrested and released on bail and considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:



CrI.O.P.No27169 of 2024

WEB COPY

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 **V Metropolitan Magistrate, Egmore** 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 on every Saturday at 10.30 a.m., for a period of four weeks.

[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



CrI.O.P.No27169 of 2024

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.

29.10.2024

Vv



WEB COPY



Crl.O.P.No27169 of 2024

P.DHANABAL, J.

Vv

Crl.O.P.No.27169 of 2024

29.10.2024