



Crl.O.P.No.28202 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 324(4), 309(4), 311, 109(1), 351(3) of BNS in Crime No.509 of 2024, seeks anticipatory bail.

2.Heard the learned counsel appearing on behalf of the parties.

3.The case of the prosecution as per the de facto complainant is that on 18.10.2024, the petitioners along with others threatened him with a knife demanding money, when he refused to pay, they attacked him and forcibly took a sum of Rs.4,200/- from him. Hence the case.

4.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the first and second accused were already arrested and released on bail. He further submitted that the petitioner is ready and willing to abide by any condition that may be imposed on him.



Crl.O.P.No.28202 of 2024

WEB COPY

5.The learned Government Advocate (Crl. Side) while opposing for grant of bail to the petitioner submitted that on the date of occurrence the petitioner along with others threatened the de facto complainant with the a knife and demanding money from him and when he refused to give, they forcibly took the money from him and threatened him with dire consequences. He further submitted that there are three previous cases pending against the petitioner.

6.Taking into consideration the facts and circumstances of the case and the submission made by the learned counsel on either side and on perusing the FIR, I am inclined to grant anticipatory bail to the petitioner subject to the following 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 of receipt of a copy of this order, before the learned **Judicial Magistrate II, Chengalpattu** 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 said Magistrate, on further condition that:



Crl.O.P.No.28202 of 2024

WEB COPY

[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police daily at 06.30 p.m until further orders;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

12.11.2024

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Crl.O.P.No.28202 of 2024

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Crl.O.P.No.28202 of 2024

Dated: 12.11.2024