



Crl.O.P.No.28805 of 2024

A.D.JAGADISH CHANDIRA, J.

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 336, 392, 397 and 506(ii) of IPC in Crime No.15 of 2019, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, as per the defacto complainant, the petitioner and co-accused abused the defacto complainant and the knife point, demanded money from the defacto complainant for drinking liquor and further robbed Rs.1,000/- from his shirt pocket. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and have not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is ready to produce solvent sureties and to abide with any conditions that may be imposed by this Court, therefore, he prayed for the grant of anticipatory bail to the petitioner.



4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for the grant of anticipatory bail to the petitioner, stating that the petitioner along with co-accused had abused the defacto complainant, threatened him at knife point and robbed Rs.1000/- from his shirt pocket for drinking liquor. He further submitted that there is no previous case as against the petitioner.

5. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and taking note of the fact that, there is no previous case as against this petitioner, 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 District cum Judicial Magistrate, Sholinganalur** 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate 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 everyday at 6:30 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].



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Crl.O.P.No.28805 of 20



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

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19.11.2024

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