



Crl.O.P.No.28866 of 2024

A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Section 310(4) of BNS, 2023 in Crime No.545 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, based on a secret information, the respondent police went to the spot and found that seven persons, in which three persons were in possession of knife and iron rods have planned to commit robbery and dacoity. On seeing the police, the petitioners herein ran away from the spot and other accused were arrested. Hence, this case.

3. Learned counsel appearing for the petitioners would submit that petitioners are innocent and have not committed any offence, as alleged by the prosecution and they have been falsely implicated in this case, based on the confessions of other accused. He would further submit that the petitioners are ready to abide by any condition, that may be imposed by this Court and also to appear and co-operate for the investigation, therefore, he prayed for the grant of



anticipatory bail to the petitioners.

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4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for the grant of anticipatory bail to the petitioners, stating that the petitioners along with the other accused have planned to commit dacoity. He would further submit that the investigation is still pending.

5. Heard the learned counsel for the petitioners, 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 counsels on either side, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate Court No.II, Cuddalore** on condition that the petitioners 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 petitioners 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 petitioners shall report before the respondent police everyday at 6:30 p.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

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

20.11.2024

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