



Crl.O.P.No.29114 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.409 of 2024, registered for the offences punishable under Section 392 of IPC, the present petition has been filed seeking anticipatory bail.

2.The case of the prosecution is that on 05.05.2024, at about 06.00 hours, at Vill Nagar near ESSAR Petrol Bunk the defacto complainant while going in the two wheeler, one unknown person robbed 5 sovereign of gold jewels by using his pulsar bike. Hence, the case.

3.Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He would further submit that he is ready to abide by any stringent condition that may be imposed by this Court.

4.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that the petitioner herein is A2, who is none other than the father of A1, who is a habitual offender. A1 robbed 5 sovereign of



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gold jewel from the defacto complainant and he was arrested and he confessed that he had mortgaged and received a similar jewel and handed over to his father. A1 has been arrested and released on bail. He would further submit that the said jewel has not been recovered from the accused and there is no previous case as against the petitioner.

5.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is 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 learned Judicial Magistrate - I at Villupuram, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intend 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:



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[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 his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police on every day at 10.30 a.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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.



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