



Crl.O.P.No.28030 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioners/A2 and A3 in Crime No.249 of 2022 registered by the Respondent Police for the offences under Sections 341, 395, 397 and 506(ii) IPC, seek anticipatory bail.

2. The learned counsel for the Petitioners stated that the Petitioners had not committed any offence as alleged by the prosecution and they have been falsely implicated in the above allegation. Thus, he prays for grant of anticipatory bail to the Petitioners herein.

3. The learned Government Advocate (Criminal Side) stated that all the Accused persons had joined and had committed a robbery of Rs.3,000/- (Rupees Three Thousand only) by threatening the defacto complainant. The said occurrence took place on 09.08.2022. He also stated that the Accused A1, A4 and A5 had been arrested and had granted bail and there is one previous case as against the 2nd Petitioner/A3.



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4. However, taking all the factors into consideration and also the fact that the occurrence was happened in the year 2022, this Court is inclined to grant anticipatory bail to the Petitioners with certain conditions. 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 Learned Judicial Magistrate No.2, Salem**, 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 daily at 10.30 a.m., until further orders.



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[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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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