



Crl.O.P.No.28121 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners in Crime No.1635 of 2023 registered for the alleged offences under Sections 341, 395 r/w 397 and 506(ii) of IPC on the file of the respondent police with reference to an occurrence which took place on 13.11.2023, seek anticipatory bail.

2. There are totally 10 accused. A1 and A7 had been arrested and granted bail. A10 is absconding.

3. It is the case of the prosecution that all the accused persons had waylaid the defacto complainant and robbed Rs.6,150/-. It is stated that only a sum of Rs.300/- had been recovered. A1 has no previous case. A4 has four previous cases.

4. Taking an over all consideration of the entire facts of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, these 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.IV, Salem** on condition that each of the petitioner



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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 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, every day at 10.30 a.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



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to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners mreleased 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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