



Crl.O.P.No.28172 of 2023

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C.V.KARTHIKEYAN,J.

The petitioners who apprehend arrest at the hands of the respondent Police for the offences registered under Sections 294(b), 323, 386 and 506(ii) of IPC in Crime No.697 of 2023, seek anticipatory bail.

2.The petitioners are arrayed as A1 and A2. The case of the prosecution is that on 13.11.2023, when the defacto complainant and another person have gone to IOB ATM at Panruti and deposited money and came out and they found that the bike was missing. It is stated that the accused person snatched a mobile phone and took the bike along with cash of Rs.22,500/-.

3. It is stated by the learned Government Advocate that the bike was recovered.

4.Taking all the factors into consideration, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions:

5.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 No.I, Panruti**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each



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with two sureties 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 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 10.30 a.m., until further orders.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness 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.

18.01.2024

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