



Crl.O.P.No.28401 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 341, 294(b), 323, 324, 379 and 506(ii) IPC in Crime No.330 of 2023, seek anticipatory bail.

2. It is the case of the prosecution that the defacto complainant had stated that the petitioners had waylaid and attacked the father of the defacto complainant earlier on 12.11.2023 and subsequently, the defacto complainant also sustained injuries on her finger when she tried to prevent the father from being attacked. She also lost two sovereigns of gold chain. There are two previous cases against the second petitioner.

3. Taking all the factors into consideration, this Criminal Original Petition stands **dismissed as against the second petitioner.**

4. This Court is inclined to grant anticipatory bail to the first petitioner with certain conditions.

5. Accordingly, the first petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the XIII



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Metropolitan Magistrate, Egmore at Chennai, on condition that the petitioner 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 petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m., until further order.

[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



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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 absconds, a fresh FIR can be registered under Section 229A IPC.

11.01.2024

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