

CRL.O.P.No.11173 of 2016

S.VAIDYANATHAN, J.

Apprehending arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of IPC in connection with Crime No.242 of 2016, the petitioners have come forward with this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioners are alleged to have committed theft of tempo traveller of the defacto complainant.

3. The learned counsel for the petitioners submitted that the petitioners have not committed any such offence and the petitioners have been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) submitted that the vehicle has been recovered in this case.

5. Considering the fact that the vehicle has been recovered and that custodial interrogation may not be required in this case, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Poonamallee on each of them executing 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

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or to the satisfaction of the learned Magistrate concerned and on further condition that :

[a] the petitioners shall appear before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

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

[d] 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]**.

02.06.2016

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