

CRL.O.P.No.11869 of 2016**S.VAIDYANATHAN, J.**

Apprehending arrest at the hands of the respondent police for alleged offence punishable under Section 379 IPC in Crime No.1346 of 2013 on the file of the respondent police, in C.C.No.262 of 2014 on the file of the Judicial Magistrate, Ambattur, the petitioner has come forward with this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioner is alleged to committed theft of the two wheeler of the defacto complainant.

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

4. The learned Government Advocate (Crl. Side) submitted that the respondent police has filed absconding charge sheet in this case and the same has been taken cognizance in C.C.No.262 of 2014 and on-bailable warrant has been issued against the petitioner.

5. Considering the facts and circumstances of the case and taking note of the fact that the charge sheet has already been filed in this case, I am inclined to grant anticipatory bail to the petitioners with the following conditions.

6. Accordingly, the 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 of receipt of a copy of this order, before the Judicial Magistrate, Ambattur, on his 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

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officer who intends to arrest or to the satisfaction of the Magistrate concerned and on further condition that:

[a] the petitioner shall report before the said Magistrate daily at 10.30 a.m. until further orders.

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

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

[d] On breach of any of the aforesaid conditions, the Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the 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]**.

17.06.2016

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