



Crl.OP.No.19977 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 380 IPC in Crime No.307 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. It is seen that there are totally three accused, in which the petitioner is arrayed as A3. The case of the prosecution is that the defacto complainant lodged a complaint before the respondent police on 23.07.2022 alleging that on 23.07.2022, when the defacto complainant was on duty in CPCL Company, she found that the petitioner along with others involved in the theft of cable wires from the said company.

3. The learned counsel appearing for the petitioner submitted that the petitioner is arrayed as A3 and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that A1 and A2 were arrested and released on bail by Court below in Crl.M.P.No.3062 of 2022. Hence, he prays to



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grant anticipatory bail to the petitioner.

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4. The learned Additional Public Prosecutor appearing for the respondent submitted that the petitioner along with other accused robbed the cable wire worth about Rs.15,000/- from CPCL Company. He would further submit that the stolen property has been recovered by the respondent police. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner subject to 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 on which the order copy made ready, before the learned Judicial Magistrate, Thiruvottiyur 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



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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, for a period of four weeks and thereafter as and when required for interrogation.

[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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court

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

30.08.2022

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