



Crl.O.P.No.21300 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 454 & 380 of IPC in Crime No. 281 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 24.04.2022, the petitioner along with 27 other accused trespassed into the NOCL Company, Kayalpatti, Cuddalore District and attempted to steal scrap materials from the company. On seeing the Security guard, the petitioner along with other accused have absconded, leaving their two wheelers inside the premises. On checking, it was found that the vehicles were loaded with 350 kilograms of Iron rods worth about Rs.8,500/-. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the



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respondent would submit that the petitioner along with other accused trespassed into the company and attempted to steal the scrap materials from the factory. He would further submit that it is a repeated incident happening in the same premises. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and submissions of the learned Counsel and also finding that the vehicle of the petitioner has also been seized and it is now in the custody of the respondent, 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, Portnova, Cuddalore District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the



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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., and 05.30 p.m, until further orders.

[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 himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

05.09.2022

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