



Crl.O.P.No.22663 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 offence punishable under Section 380 of IPC in Crime No.86 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 08.08.2022 at about 10.00 am, the defacto complainant inspected the PKIET Hostel and found that copper wires worth Rs.2,000/- fixed in the ground floor of the PKIET Girls Hostel were stolen by some persons. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and based on the confession of the other accused, the petitioner has been falsely implicated in this case. He would submit that co-accused in this case has been granted anticipatory bail. 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 the other accused had committed theft of copper wires from the girls hostel. He would submit that co-accused in the case has been granted bail. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 II, Karaikal** 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 satisfaction of the respondent police



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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 automatically 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 **every day at 10.30 a.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]**.

A.D.JAGADISH CHANDIRA,J.

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20.09.2022

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