



Crl.O.P.No.23350 of 2022

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A.D.JAGADISH CHANDIRA.J.

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 454 and 380 of IPC in Crime No.403 of 2022, seek anticipatory bail.

2.The case of the prosecution as per the defacto complainant who is a Supervisor in the NOCL Company is that the petitioners had attempted to commit theft of iron scraps worth about Rs.6,000/- from the said Company. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that there is no previous case pending against the petitioners and the stolen articles have also been recovered from the petitioners. Hence, he seeks for anticipatory bail.



Crl.O.P.No.23350 of 2022

WEB COPY

4. The learned Government Advocate (crl.side) would submit that the petitioners had attempted to commit theft of iron scraps worth about Rs.6,000/- from the NOCL Company where the defacto complainant is working as a Supervisor. He would further submit there is no previous against the petitioners and the stolen articles have been recovered from the petitioners. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking note of the facts and circumstances and also taking note of the fact that there is no previous case pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, 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 on which the order copy made ready, before the **learned District Munsif cum Judicial Magistrate, Parangipettai**, on condition that each of the petitioners shall execute a bond for a sum of **Rs.25,000/-**



Crl.O.P.No.23350 of 2022

(Rupees twenty five 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 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 petitioners 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 petitioners shall report before the respondent police every day at 10.30 and 5.30 pm until further orders.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[f] the petitioners shall not abscond either during investigation or trial;

[g] 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]*; and;



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Crl.O.P.No.23350 of 2022

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[h] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

27.09.2022

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Crl.O.P.No.23350 of 2022