



Crl.O.P.No.24357 of 2022

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SATHI KUMAR SUKUMARA KURUP., J.

The Petitioners, who apprehends arrest at the hands of the Respondent police for the offences punishable under Sections 380 of IPC, in Crime No.196 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had kept his LPG cylinder in front of his house and left for Namakkal for sugarcane cutting. His relatives called and informed them on 22.09.2022 that these Petitioners had removed cylinder and put it in the nearby sugarcane field. On their visit, they found that the gas cylinder was missing and found in sugarcane and Rs.5000/- kept in their house was found behind the Almirah. Hence the complaint.

3. The learned counsel for the Petitioners submitted that the Petitioners are innocent person and that he did not commit any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the Petitioners.

4. The learned Government Advocate (Crl.Side) submitted that no



previous case pending against the Petitioners. However, he vehemently opposed to grant anticipatory bail to the Petitioners.

5. Considering the facts and circumstances of the case and also the fact that there is no previous case pending against the Petitioners, this Court is inclined to grant anticipatory bail to the Petitioners subject to the following conditions.

6. Accordingly, the Petitioners are ordered to be released on bail in the event of arrest by the Respondent Police or the Police Officer, who intends to arrest or on the Petitioners surrenders before the ***learned Judicial Magistrate Court, Tittagudi, Cuddalore District***, within a period of fifteen days from the date of receipt of a copy of this order, on executing a bond for a sum of ***Rs.10,000/- (Rupees Ten Thousand only)*** with two sureties for a like sum/amount to the satisfaction of the ***learned Judicial Magistrate Court, Tittagudi, Cuddalore District***. Further, one of the sureties shall be a blood relative.

(a) the sureties shall affix their photographs and left thumb



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impression in the surety bond. The Police Officer who intends to arrest or the learned Judicial Magistrate before whom the Petitioners surrenders and the sureties execute bond shall obtain a copy of their Identity Card, Aadhar Card, or Voter Identity Card or Driving Licence or PAN Card or Bank Passbook with Photo affixed and attested by the Bank Manager as proof of Identity.

(b) *the Petitioners shall report before the Respondent Police daily at 10.00 a.m., until further orders.*

(c) the Petitioners shall not influence, threaten or coerce the witness either during investigation or trial;

(d) the Petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the Investigation Officer shall exercise the discretion to cancel the bail by approaching the Court of the learned Judicial Magistrate/Trial Court.

(f) the learned Judicial Magistrate/Trial Court shall on application for cancellation of bail bond by the Investigation Officer shall pass appropriate orders as though bail granted by the learned Judicial Magistrate/Trial Judge himself/herself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(g) if the Accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

06.10.2022

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