



WEB COPY



CrI.O.P.No.25679 of 2022

CrI.O.P.No.25679 of 2022

A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Section 381 of IPC read with Section 34 of IPC in Crime No.67 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 19.08.2022, at about 8.00 hrs, the petitioner and another person have committed theft of scrap and copper materials from the Company of the *de-facto* complainant. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and a false complaint has been given against him since the vehicle of the petitioner's brother was used by the accused. He would further submit that the petitioner is working as a Multi Tasking Staff in Dr.Ambedkar Government Law College, Puducherry and he is ready to abide by any stringent conditions that may



CrI.O.P.No.25679 of 2022

be imposed on him by this Court and he prays to grant anticipatory bail to the petitioner.

4. The learned Public Prosecutor (Puducherry) appearing for the respondent would submit that the petitioner by using his brother's vehicle had committed theft of scrap and other copper materials from the factory premises of the *de-facto* complainant. The presence of the petitioner is confirmed by the CCTV footage during the relevant period and hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel. Perused the materials available on record. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain 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



Crl.O.P.No.25679 of 2022

from the date on which the order copy made ready, before the **Judicial Magistrate Court – II, Pondicherry**, 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 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 everyday at 10.30 a.m. and 5.30 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.



WEB COPY



Crl.O.P.No.25679 of 2022

A.D.JAGADISH CHANDIRA, J.
mpl

[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]**.

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

11.11.2022

mpl

Crl.O.P.No.25679 of 2022