



Crl.O.P.No.26171 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 Section 380 of IPC in Crime No.828 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the suspected accused who is relative of the defacto complainant had committed theft of Rs.3,500/- and 12 sovereigns of gold jewels from his house. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and since because the petitioner's brother has given a complaint against the defacto complainant's family members in respect of which a case in Crime No.804 of 2022 has been registered by the respondent Police, a false complaint has been given against the petitioner. He would submit that the petitioner is a man of means and he is abide by any stringent condition that may be imposed by this Court. However, he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.26171 of 2022

4.The learned Government Advocate (crl.side) on instructions would submit that the accused who is relative of the defacto complainant had committed theft of Rs.3,500/- and 12 sovereigns of gold jewels from his house. He would further submit that there is no previous case pending against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel. Perused the materials available on record. Considering the facts and circumstances of the case and also of the submissions made by the learned counsel, 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 from the date on which the order copy made ready, before the learned Judicial Magistrate No.I, Coimbatore, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum to the satisfaction of the



CrI.O.P.No.26171 of 2022

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 every day at 10.30 am, 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



Crl.O.P.No.26171 of 2022

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.

02.11.2022

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