



Crl.O.P.No.26469 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 alleged offences punishable under Sections 379IPC in Crime No.344 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had committed theft of groceries to the worth of Rs.700/- from the de-facto complainant store. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would also submit that the petitioner has gone to the shop of the de-facto complainant and there was a quarrel between them, in respect of which a complaint has been registered by the petitioner as against the de-facto complainant which has been registered in Crime No.343 of 2022 for the offences under Sections 341, 294(b), 323, 324 &



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506(2) of IPC. He would also submit that the petitioner is prepared to comply with any stringent condition that may be imposed by this Court and he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI.Side) would submit that the petitioner had committed theft of groceries to the worth of Rs.700/- from the de-facto complainant store. Hence, he oppose for grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts of the case and the submissions made by the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following 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 Court -IV, Salem, on condition that the petitioner shall



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execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 daily at 10.30 a.m., for a period of two weeks and thereafter, every Saturday at 10.30a.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;



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[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.

04.11.2022

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