



Crl.O.P.No.29647 of 2022

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 of IPC, in Crime No.69 of 2010, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner stolen a lorry from the defacto complainant. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged. He would also submit that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that charge sheet has been filed in this case and the same was taken on file in C.C.No.51 of 2018 on the file of the learned District Munsif cum Judicial Magistrate, Kodumudi, Erode District. In which, the Trial Court has issued



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Non-Bailable Warrant against the petitioner on 03.11.2018 and the case is pending for service pending. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. 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 from the date on which the order copy made ready, before the **learned District Munsif cum Judicial Magistrate, Kodumudi, Erode District**, on condition that the petitioner shall 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:



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[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 Wednesday at 10.30 a.m. for a period of eight (8) weeks and thereafter, appear before the trial Court on all hearing dates without fail;

[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 Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**;



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

08.12.2022

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