



Crl.O.P.No.30051of 2022

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Section 379 of IPC in Crime No.448 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 28.10.2022, the defacto complainant, who is the Manager of the Vasanth & Co, Purasawalkam branch, had sent a products to their customers. It is alleged that when the driver delivered the products and returned back to the vehicle and it was found that the Sony LED TV-1 43” has been stolen by some persons. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, on instructions, the learned counsel further submitted that the petitioner, on his own volition,



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is ready and willing to contribute a sum of Rs.10,000/- to the credit of the Crime No.448 of 2022 that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate(Crl.side) appearing for the respondent submitted that CCTV footage clearly shows that A1 has taken the TV and sold it to some other person at Bangalore and the amount has been shared between A1 and A2. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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 of receipt of a copy of this order, before the learned **XIV Metropolitan Magistrate, Egmore** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten thousand only)** with two sureties



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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 is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Crime No.448 of 2022 , within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

[b] 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.

[c] the petitioner is directed to report before the respondent police on every Saturday at 10.30 a.m., for a period of eight weeks and thereafter, appear before the Trial Court on all hearings without fail.

[d] the petitioner shall not tamper with evidence or witness either



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[e] the petitioner shall not abscond either during investigation or trial.

[f] 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]**.

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

05.12.2022

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