



Crl.O.P.No.30497 of 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 Sections 379 IPC, in Crime No.300 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on the advise of the petitioner and A4, A1 to A3 have committed theft of cows of the defacto complainant and also the neighbour of the defacto complainant. Four cows were recovered from the accused. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner along with A4 had advised the accused No.1 to 3 to commit the theft of cows in the village of the defacto complainant. The accused have also committed theft. He added that four cows from the accused were recovered and the petitioner is having four previous cases against him.



Crl.O.P.No.30497 of 2022

WEB COPY

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.Side), 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 before the learned Judicial Magistrate No.II, Attur on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each 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 is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of **Sevalaya, No.F-2, Pushkarani Apartment, 12 Ananda Road, Alwarpet, Chennai -600 018, Account Name : SEVALAYA, A/C.No.218601000134, Bank : ICICI Bank, Branch : Mylapore, Chennai -600004, IFSC Code : ICIC0002186 Cell No.9941450444**, 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



Crl.O.P.No.30497 of 2022

identity.

[c] the petitioner is directed to report before the respondent police daily at 10.30 a.m. for a period of three months, thereafter as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[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.

13.12.2022

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