



Crl.O.P.No.495 of 2023

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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, in Crime No.179 of 2021, seeks anticipatory bail.

2. The case of prosecution is that the petitioner along with the other accused were committed theft of pickup truck. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is a student and he has nothing to do with the alleged offence. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the petitioner is a habitual offender and that there are two previous case in Crime No.94



CrI.O.P.No.495 of 2023

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and 96 of 2022 similar in nature, pending against the petitioner. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, the submissions made by the learned counsel appearing on the either side, 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 Court V Metropolitan Magistrate Court, Egmore, Chennai** 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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CrI.O.P.No.495 of 2023

[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 station every Wednesday at 10.30 a.m., for a period of eight weeks and thereafter as and when required.

[c] the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) as non-refundable deposit to the credit of Kaakkum Karangal Old Age Home, 89/47, Santhome High Road, Santhome, Chennai-600 028, A/c No.000101219273, ICICI Bank, Santhome Branch, IFSC Code:ICIC0003432, MICR Code:600229120, Swift Code:ICICINBBXXX, Mobile No.9840068800.

[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



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CrI.O.P.No.495 of 2023

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]***; and;
[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

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Crl.O.P.No.495 of 2023

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Crl.O.P.No.495 of 2023

10.01.2023