



Crl.O.P.No.351 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 of IPC in Crime No.Not known of 2022, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant is that the accused had committed theft of his auto. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and from the year 2017 to till date, the petitioner and her husband was separated. He would further submit that she has nothing to do with the alleged offence and the auto was also recovered. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (crl.side) appearing for the respondent Police would submit that the petitioner and her husband had committed theft of auto which is owned by the defacto complainant. He would further submit that there is one previous case pending against the



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husband of the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) for the respondent and perused the materials available on record.

6.Taking into consideration the facts of the case and the submissions made by the learned counsel for the petitioner and also of the fact that the auto was recovered, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;

7.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, Alandur, Kanchipuram, 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



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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 on every Saturday at 10.30 a.m., for a period of eight weeks;

(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]***; and;



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(f)if the accused thereafter absconds, a fresh

FIR can be registered under Section 229-A IPC;

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