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CrI.O.P.No.747 of 2023

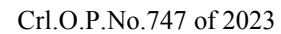
CrI.O.P.No.747 of 2023

T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 457, 380 of IPC in Crime No.445 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant working was a Security Guard in Nagai Power plant Ltd., for the past nine months. On 29.11.2022 the Keelvelur Tahsildar issued, order imposing restriction to enter the power plant and hence, no one entered the plant except 3 of the Security Guards. On 05.12.2022. When the defacto complianant, and his colleagues were on duty in the power plant, they heard sounds from the fire coal condenser room. The defacto complainant checked in the room and found that 3 core aluminium cable was missing. Hence, the complaint.

3.The learned counsel appearing for the petitioners would



4. The learned Government Advocate (CrI.Side) would submit that the petitioners had stolen 3 core aluminium cable from the power plant, which was worth about Rs.2,00,000/- and property has recovered. He further submitted that totally six accused persons, based on confession of A6 and A7, the petitioners were arrayed as accused. Hence, he vehemently opposed the grant of anticipatory bail to the petitioners.

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contribute some amount for charitable purpose, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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, Nagapattinam**, on condition that the petitioners 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:

[a] the petitioners are directed to deposit a sum of **Rs.20,000/- (Rupees Twenty Thousand only)** to the **Registered Advocate Clerks Association, Nagapattinam**, 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 petitioners and the sureties shall affix their



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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 petitioners are directed to report before the respondent police every Wednesday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation;

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

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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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[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

12.01.2023

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