



Crl.O.P.No.1597 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 379 and 406 of IPC in Cr.No.329 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the the petitioner is the owner of the small cast molding Industry Name and Style of V. Lakshmi Narasimman Engineering at SIDCO Industrial Estate at Thiruvallur for the past 7 years, and on 03.11.2022 evening one Rathinasamy had contacted the petitioner and Rathinasamy sold the materials to this petitioner. The petitioner in turn sold the same to one Mr.Kadhar Bai at Ambattur Industrial Estate. Alleging that these materials were stolen from the defacto complainant's possession, the present complaint is lodged.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and that he is a bonafide purchaser of the materials for a consideration.



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Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

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4.The learned Government Advocate (Crl.side) would submit that the property was recovered, which is worth about Rs.3,00,000/-. He further submit that this petitioner accompanied the other accused and had stolen the property. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **District Munsif Cum Judicial Magistrate, at Pallipattu, Thiruvallur District**, 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 and on



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further condition that:

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(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 and thereafter, as and when required for interrogation;

(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 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]***; and;



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(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

25.01.2023

vsn

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