



CrI.O.P.No.1740 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehend arrest for the alleged offence under Sections 379 of IPC in Cr.No.179 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner had stolen cell phone from the defacto complainant . Hence, the complaint.

3.The learned counsel appearing for the petitioner had purchased the mobile phone from A1 and other than that the petitioner has no way connected with the alleged offence. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (CrI.side) would submit that it is a case of mobile theft and this petitioner is arrayed as A2 and is alleged to have purchased the stolen mobile phone from A1. He further submit that the property was recovered. He opposed to grant anticipatory bail to the petitioner.



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WEB COPY 5. Considering the fact that 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned II Metropolitan Magistrate Court, Egmore, Chennai 600 008, 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 further condition that:

(a) the petitioners 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 Wednesday at 10.30 a.m for a period of eight weeks and thereafter, as and when require for interrogation;

(d) the petitioner shall not tamper with evidence or witness either



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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 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;

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

30.01.2023

vsn

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