



Crl.O.P.No. 1736 of 2023

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T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences under Sec. 379 of I.P.C. in Crime No.640 of 2022 on the file of respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 28.12.2022 around 09.00 a.m., when the respondent police on regular patrol duty at Ramanathankuppan Fourlane road, they intercepted the vehicle of petitioners and on seeing the police, they alleged to have escaped from the scene of occurrence. On search, they found 2 tones of iron plate worth about Rs.40,000/- was found in a vehicle and they seized the same. Hence, the complaint.

3. The learned counsel appearing for petitioners would submit that 1st accused is the driver and 2nd petitioner is owner of vehicle. He would also



CrI.O.P.No. 1736 of 2023

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submit that they are innocent persons and they have not committed any offence as alleged in the complaint. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (CrI. Side) appearing for respondent would submit that no previous case pending against them and the property was recovered from them. He would submit that if they are granted anticipatory bail, they would abscond and also tamper the witnesses. Hence, he vehemently opposed to grant bail to the petitioners.

5. Considering the above fact and circumstances of the case, and considering the fact that the investigation is almost completed and the property was recovered from them, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned



CrI.O.P.No. 1736 of 2023

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District Munsif cum Judicial Magistrate, Kurinjipadi, on condition that **the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) jointly as non-refundable deposit to the credit of registered Advocates Clerks Association, Vadalur, Cuddalore District** and the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each, **in which one surety must be a blood surety**, 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 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 petitioners shall report before the respondent police daily at 10.30 a.m. for the period of two months.

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



CrI.O.P.No. 1736 of 2023

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[d] the petitioners 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

27.01.2023

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Crl.O.P.No. 1736 of 2023

T.V.THAMILSELVI, J.

rpp

Crl.O.P.No. 1736 of 2023

27.01.2023