



Crl.O.P.No. 4680 of 2023

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WEB C **A.D. JAGADISH CHANDIRA, J.**

The petitioners/A3 & A4, who apprehend arrest for the alleged offence punishable under Section 381 IPC in Crime No. 119 of 2023 on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant, named Mr.Rajakumaran, is that he was working as Manager in Ntex Transportation Private Limited from 01.09.2022 to 31.10.2022 and valuable articles, such as apple phone, smart phone, smart watches, laptop, headsets worth about Rs.10 lakhs, were stolen and he has suspected one Mr.Satheesh Kumar (Delivery boy). Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons, and even as per the complaint, the de-facto complainant only suspected that the petitioners would have committed the theft and to show their bonafides, they are ready and willing to deposit a sum of



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Rs.50,000/- each (Rupees Fifty Thousand Only) to the credit of Crime No.119

of 2023. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) would submit that all the accused are absconding and the stolen valuable articles have not yet been recovered and no one has been arrested in this case. He would further submit that all the accused had not co-operated for the inquiry. Therefore, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and also the submission of both sides, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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



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date on which the order copy made ready, before **the Judicial Magistrate-II,**

Ponneri at Thiruvallur, on condition that each of the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 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 everyday at 10.30 a.m. until further orders. It is made clear that the deposit of the amount by the petitioners/A3 & A4, would not amount to admission of guilt.**

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



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[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]**.

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

06.03.2023

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