



Crl.O.P.No.7214 of 2023

Crl.O.P.No.7214 of 2023

S.SOUNTHAR, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 465, 468, 471 and 420 of IPC, in Crime No.311 of 2020, seeks anticipatory bail.

2.The case of the prosecution as per the Defacto-Complainant who is the Sub-Inspector of police that the petitioner's lorry was plied with the fake number plates.

3. The learned counsel for the petitioner would submit that he is innocent. He is the owner of the lorry and it has been leased to one Mr.Salia for his business and that he had without the knowledge of the petitioner committed the offence. He would further submit that the petitioner is prepared to abide by any stringent condition, he would submit that the drivers been arrested and they have been



Crl.O.P.No.7214 of 2023

released on bail.

4. It is further stated by the learned counsel for the petitioner that Anticipatory Bail was already granted in favour of the petitioner in Crl.O.P.No.8623 of 2020 by an order of this Court dated 15.07.2020. The petitioner was unable to execute the sureties, due to Covid-19 pandemic. The petitioner is now ready to execute the same. Hence, he prayed for grant of anticipatory bail to the petitioner.

5. The learned Government Advocate (Crl. Side) appearing for the respondent police has no objection for granting anticipatory bail to the petitioner on the same conditions which were imposed vide order dated 15.07.2020 in Crl.O.P.No.8623 of 2020 by this Court while granting anticipatory bail to the petitioner earlier.

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



Crl.O.P.No.7214 of 2023

WEB COPY

7. Taking into consideration the facts and circumstances of the case and also considering the fact that anticipatory bail was already granted to the petitioner with certain conditions, this Court is inclined to grant anticipatory bail to the petitioner with same conditions imposed earlier.

8. 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 on which the order copy made ready, before the **learned Judicial Magistrate No.III, Thirupathur**, on condition that the petitioner shall execute separate bonds 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:



Crl.O.P.No.7214 of 2023

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate shall obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police once in a week at 10.30 a.m. for a period of two 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 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.

05.05.2023

ab/krk



WEB COPY



Crl.O.P.No.7214 of 2023

S.SOUNTHAR, J.,

ab/krk

Crl.O.P.No.7214 of 2023

05.05.2023