



Crl.O.P.No.6817 of 2023

deeds of immovable property not less than the value of Rs.2 lakhs (standing in the name of petitioner or his relatives or his friends) to the credit of Crime No.309 of 2022. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (crl.side) appearing for the respondent Police would submit that the petitioner, who is the employee of the defacto complainant, by tampering with ATM machine, had misappropriated an amount of Rs.2,22,800/-. He would further submit that there is no previous case pending against the petitioner. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (crl.side) and perused the entire materials available on record.

6. Considering the above facts and circumstances of the case and the submissions made by the learned counsel on either side and also of the fact



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that there is no previous case pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is directed to deposit **the original title deeds of immovable property not less than the value of Rs.2 lakhs (standing in the name of petitioner or his relatives or his friends) to the credit of Crime No.309 of 2022**, without prejudice to his rights and contentions before the trial Court, on such deposit and production of proof, 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.I, Vaniyaadi, Thirupattur, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



[a] the petitioner 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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks and thereafter, on every Saturday at 10.30 a.m., until further orders;

[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]**;



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

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A.D.JAGADISH CHANDIRA, J.

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