



Crl.O.P.No.9650 of 2023

Crl.O.P.No.9650 of 2023

S.SOUNTHAR, J.

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 379 of IPC, in Crime No.86 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons have committed theft of shoes while exporting shoes to foreign country worth about 25 lakhs. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner has nothing to do with the said allegation and he has been falsely implicated in this case. The learned counsel further submitted that the contraband has been recovered from A1 and the co-accused have already been granted anticipatory bail by this Court in Crl.OP.No.7994 of 2023 dated 17.04.2023. Hence, he prayed for grant of anticipatory bail to the petitioner.



Crl.O.P.No.9650 of 2023

WEB COPY

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner has committed theft of export quality shoes worth about Rs.25 lakhs. However, he opposed for grant of anticipatory bail to the petitioner.

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

6. Having regard to the facts of the case and the nature of the allegation made against the petitioner and also of the fact that the contraband has already been recovered from the accused persons and the co-accused have been granted anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen



Crl.O.P.No.9650 of 2023

WEB COPY

days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.II, Ponneri**, 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:

[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 four weeks and thereafter as and when required for interrogation.

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



Crl.O.P.No.9650 of 2023

[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 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.

04.05.2023

rka/rsi



WEB COPY



Crl.O.P.No.9650 of 2023

S.SOUNTHAR, J.,
rka/rsi

Crl.O.P.No.9650 of 2023

04.05.2023