



Crl.O.P.Nos.10341, 10351, 10366, 10391,
10376, 10494 and 11727 of 2023

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Crl.O.P.Nos.10341, 10351, 10366, 10391, 10376, 10494

and 11727 of 2023

A.D.JAGADISH CHANDIRA, J.

In Crl.O.P.No.10341 of 2023, the petitioner, apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 of IPC, in Crime No.202 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. In Crl.O.P.No.10351 of 2023, the petitioner, apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 of IPC, in Crime No.201 of 2022 on the file of the respondent police, seeks anticipatory bail.

3. In Crl.O.P.No.10366 of 2023, the petitioner, apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 of IPC, in Crime No.198 of 2022 on the file of the respondent police, seeks anticipatory bail.



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4. **In Crl.O.P.No.10391 of 2023**, the petitioner, apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 of IPC, in Crime No.195 of 2022 on the file of the respondent police, seeks anticipatory bail.

5. **In Crl.O.P.No.10376 of 2023**, the petitioner, apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 of IPC, in Crime No.200 of 2022 on the file of the respondent police, seeks anticipatory bail.

6. **In Crl.O.P.No.10494 of 2023**, the petitioner, apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 of IPC, in Crime No.196 of 2022 on the file of the respondent police, seeks anticipatory bail.

7. **In Crl.O.P.No.11727 of 2023**, the petitioner, apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 of IPC, in Crime No.199 of 2022 on the file of the respondent police, seeks anticipatory bail.



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8. **In Crl.O.P.No.10341 of 2023**, the case of the prosecution is that the petitioner along with other accused have committed theft of Two Wheeler bearing Registration No.TN 23 CV 9742. Hence, the complaint.

9. **In Crl.O.P.No.10351 of 2023**, the case of the prosecution is that the petitioner along with other accused have committed theft of Two Wheeler bearing Registration No.TN 23 CW 2305. Hence, the complaint.

10. **In Crl.O.P.No.10366 of 2023**, the case of the prosecution is that the petitioner along with other accused have committed theft of Two Wheeler bearing Registration No.TN 23 CZ 0379. Hence, the complaint.

11. **In Crl.O.P.No.10391 of 2023**, the case of the prosecution is that the petitioner along with other accused have committed theft of Two Wheeler bearing Registration No.TN 23 CZ 8889. Hence, the complaint.



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12. **In Crl.O.P.No.10376 of 2023**, the case of the prosecution is that the petitioner along with other accused have committed theft of Two Wheeler bearing Registration No.TN 23 BQ 5106. Hence, the complaint.

13. **In Crl.O.P.No.10494 of 2023**, the case of the prosecution is that the petitioner along with other accused have committed theft of Two Wheeler bearing Registration No.TN 18 F 8071. Hence, the complaint.

14. **In Crl.O.P.No.11727 of 2023**, the case of the prosecution is that the petitioner along with other accused have committed theft of Two Wheeler bearing Registration No.TN 23 CY 9794. Hence, the complaint.

15. The learned counsel appearing for the petitioner submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the



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petitioner is known to the other accused and based on the confession statement recorded from the arrested accused, the petitioner has been falsely implicated in these cases. He would further submit that in all the above said cases, the two wheelers have been recovered only from the arrested accused. He would further submit that apart from the above said seven cases, there is no other case pending against the petitioner and that he is having a permanent address. He would also submit that the petitioner is ready and willing to furnish sufficient solvent sureties and to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of the anticipatory bail to the petitioner.

16.The learned Government Advocate (Crl.side) appearing for the respondent would vehemently opposed to grant anticipatory bail to the petitioner stating that the petitioner along with other accused have committed theft of seven motor cycles (two wheeler) and the petitioner has been implicated based on the confession of the other arrested accused. However, he would admit that the stolen two wheelers have been recovered from the arrested accused and that the arrested accused have been enlarged on bail.



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17. Heard both sides and perused the materials available on records.

18. Taking into consideration the facts and circumstances of the cases, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

19. 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, Gudiyatham**, 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:



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[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 everyday at 10.30 a.m., and 6.30 p.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]**.

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

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