



Crl.O.P.No.11924 of 2023

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V.LAKSHMINARAYANAN, J.

The petitioners who apprehend arrest for the alleged offence punishable under Sections 381 I.P.C., in Crime No.374 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the Manager /HR CREAM LINE DAIRY PRODUCT LTD., he had lodged a complaint that the petitioners along with other accused have stolen curd from his company. Hence, the law enforcing agency registered a case against the petitioners.

3.Learned counsel appearing for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution. Accordingly, prays for grant of anticipatory bail to the petitioners.

4.Learned Government Advocate (Crl side) submits that the petitioners along with other accused have stolen 600 litres of curd worth Rs.6,000/- from the defacto complainant's company. Hence, he vehemently



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oppose for the grant of anticipatory bail to the petitioners.

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5.Considering the facts and submissions of the case, this Court is inclined to grant anticipatory bail to the petitioners on the following conditions.

6.Accordingly, the petitioners are jointly directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) as non-refundable deposit in favour of **Adayar Cancer Institute (WIA) Adayar, Chennai** and thereafter 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 date of receipt of a copy of this order, before the learned **Judicial Magistrate-II, Ponneri**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each**, 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 and on further condition that:

(a)the petitioners and the sureties shall affix their photographs and



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left thumb impression in the surety bond and the Court concerned 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 daily at 10.30 a.m. for a period of four (4) weeks and thereafter as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court



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himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

26.05.2023

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