



Crl.O.P.Nos.13757, 13822 & 13866 of 2023

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A.D.JAGADISH CHANDIRA,J.

In Crl.OP.No.13757 of 2023: The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of IPC, in Crime No. 319 of 2022, seek anticipatory bail.

2. **In Crl.OP.No.13822 of 2023:** The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of IPC, in Crime No. 316 of 2022, seek anticipatory bail.

3. **In Crl.OP.No.13866 of 2023:** The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 379 of IPC, in Crime No. 272 of 2022, seek anticipatory bail.

4. **In Crl.OP.No. 13757 of 2023 :** The case of the prosecution as per the defacto complainant/Divakar is that, he was working as a painter. While so, on 13.05.2022, the defacto complainant parked his two wheeler bearing registration no. TN-21-BK-7623 near the Cinema Theatre at



Baluchettychathiram, on the next day when he returned back to the parking place, the vehicle was stolen by some unknown persons. Hence, the complaint.

5. In Crl.OP.No.13822 of 2023 : The case of the prosecution as per the defacto complainant/Sundaramohan is that, he was working in a private company. While thing being so, on 12.05.2022 at about 1.00 p.m, the defacto complainant parked his two wheeler bearing registration no.TN-73-S-7623 near Kavitha Hotel at Baluchettychathiram and after he had completed his work, he returned back to the parking place, where the vehicle was found to be stolen by some unknown persons. Hence, the complaint.

6. In Crl.OP.No.13866 of 2023 : The case of the prosecution as per the defacto complainant/Karnapushanam is that, he was working in a Transport Department. While things being so, on 10.042022 at about 23.10 p.m, when the defacto complainant parked his two wheeler bearing registration no.TN-73-U-3240 near the Old cinema theatre at Baluchettychathiram after he had completed his work he returned back to the parking place at about 23.10 hours and he found out that the vehicle



was stolen by some unknown persons. Hence, the complaint.

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7. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated based on the confession of the arrested accused. He would further submit that all the stolen vehicles had been recovered from the arrested accused and the arrested accused have also been enlarged on bail and thereby, he would seek for anticipatory bail to the petitioner.

8. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner along with other accused have committed theft of two wheelers. He would further submit that the accused have dismantled the motor cycles and sold it to the scrap dealers and the parts have been recovered from the scrap dealers and thereby, he object for grant of anticipatory bail to the petitioner.

9. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.



10. Taking into consideration the facts of the case and the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

11. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Kancheepuram** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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 surety 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.



Ctrl.O.P.Nos.13757, 13822 & 13866 of 2023

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[b] the petitioner shall report before the respondent police twice 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 absconds, a fresh FIR can be registered under Section 229A IPC.

23.06.2023

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