



Crl.O.P.No.14221 of 2023

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A.D.JAGADISH CHANDIRA,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 380 IPC, in Crime No.790 of 2020 on the file of the respondent, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that he is working in Best Crompton Engg. Ltd at Ambattur Estate. The petitioner along with other accused are alleged to have stolen 50 Kgs of Iron materials belong to the said company. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person. Based on the confession statement of the arrested accused, he has been falsely implicated in this case. Therefore, he prays for grant of anticipatory bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) for the respondent police would submit that the petitioner along with other accused are alleged to have stolen 50 Kgs of Iron materials belong to the company, where the defacto complainant is working. He would submit that the stolen materials have been recovered and that there is no previous case pending against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case and that the stolen materials have been recovered, 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 days from the date on which the order copy made ready, before the learned



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Judicial Magistrate, Ambattur on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/trial Court 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., for a period of two weeks and thereafter, 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;



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[d] the petitioner shall not abscond either during investigation or trial;

[e] 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, 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 petitioner herein thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

27.06.2023

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