



Crl.O.P.No.14624 of 2023

Crl.O.P.No.14624 of 2023

WEB COPY

G.CHANDRASEKHARAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 448, 341, 352, 324, 379, 506(ii) IPC and 3(1) of TNPPDL Act, in Crime No.222 of 2018, seek anticipatory bail.

2. The case of the prosecution is that at about 10.30 a.m., on 23.09.2018, the accused trespassed into the shop of the defacto complainant and damaged the articles and had stolen Rs.4,800/- and also snatched $\frac{3}{4}$ sovereigns of gold. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Despite this case is of the year 2018, final report has not been filed yet in this case so far. Hence, he prays to grant anticipatory bail to the petitioners.



Crl.O.P.No.14624 of 2023

4. The learned Government Advocate (Crl. Side) would submit that as per the FIR allegations, at about 10.30 a.m., on 23.09.2018, the accused trespassed into the shop of the defacto complainant and damaged the articles and had stolen Rs.4,800/- and also snatched $\frac{3}{4}$ sovereigns of gold. He would submit that investigation is almost completed and final report is yet to be submitted. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Considering the fact that the investigation is almost completed and that the case has moved to the next level, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions, since custodial interrogation is not necessary.

6. Accordingly, 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 on which the order copy made ready, before the learned District Munsif Cum Judicial Magistrate, Vedaranyam, Nagapattinam District on condition that the petitioners shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties,



Crl.O.P.No.14624 of 2023

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 petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two weeks. Thereafter, every Saturday at 10.30 a.m., until further orders.

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



WEB COPY



Crl.O.P.No.14624 of 2023

G.CHANDRASEKHARAN, J.

Anu

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

30.06.2023

Anu

Crl.O.P.No.14624 of 2023