



WEB COPY



CrI.O.P.No.14733 of 2023

CrI.O.P.No.14733 of 2023

G.CHANDRASEKHARAN. J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Section 379 I.P.C. in Crime No.21 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.It is the submission of learned counsel for the petitioner that petitioner is implicated as accused in Cr.No.21 of 2023 registered for the offence under Section 379 I.P.C. on the basis of the confessional statement given by the petitioner in Cr.No.13 of 2023. Implicating the petitioner on the basis of his confessional statement is illegal and thus, apprehending arrest, this petition is filed seeking anticipatory bail.

3.In response, the learned Government Advocate (Criminal side) submitted that it is true that petitioner is shown as accused in Cr.No.21 of 2023 on the basis of confessional statement given by petitioner in Cr.No.13 of 2023 registered for the offence under Section 379 I.P.C. on



CrI.O.P.No.14733 of 2023

WEB COPY

the file of the Arangandanallur Police Station. It is his further submission that two-wheeler No.TN14M2173 was recovered from the accused in Cr.No.13 of 2023.

4.Considered the submissions and perused the records.

5.Considering the fact that the vehicle which was said to have been stolen bearing No.TN14M2173 was recovered from other accused and not from this petitioner and thus, this petitioner was implicated on the basis of confessional statement recorded in Cr.No.13 of 2023, this Court is of the view that custodial interrogation of the petitioner is not necessary in this case and this Court is inclined to grant anticipatory bail to the petitioner. Thus, 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 No.I, Villupuram** 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



Crl.O.P.No.14733 of 2023

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 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., 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



Crl.O.P.No.14733 of 2023

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].

G.CHANDRASEKHARAN. J.

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

04.07.2023

ep

Crl.O.P.No.14733 of 2023