



Crl.O.P.No.15698 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner namely T.Vijaykumar, who apprehend arrest at the hands of the respondent police for the alleged offences under Section 379 of IPC in Crime No.220 of 2023 pending on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submitted that, petitioner is not a named accused in this case and he is implicated based on the confessional statement of the co-accused. Thus, he seeks for grant of anticipatory bail.

3. In response, learned Government Advocate (crl. Side) submitted that, on 04.06.2023, accused committed theft of 440 kg Copper Plate from Thermo House Wears Pvt. Ltd. He further submitted that, A1 to A4 were arrested and released on bail. The stolen copper plates along with the vehicle bearing Reg.No.TN 90 AR 3129 used for transportation were recovered. Petitioner is the owner off the said vehicle.



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4. Considering the facts and circumstances of the case, stolen property along with the vehicle used for transportation were recovered and co-accused were released on bail and that material part of the investigation might have been over by this time, this Court is inclined to grant anticipatory bail to the petitioner for the reason that, custodial interrogation of the petitioner is not necessary in this case.

5. Accordingly, petitioner is 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, Thiruporur** on condition that the petitioner shall execute separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the



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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 daily at 10.30.a.m., until further orders

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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.

24.07.2023

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