



Crl.O.P.No.18307 of 2023

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WEB C **RMT.TEEKAA RAMAN, J.**

The petitioner, who apprehends arrest for the alleged offences under Section 379 of IPC in Crime No.127 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner along with other accused committed theft of 250 boxes of footwear, which were transported from Cheyyar, Thiruvannamalai District to Chennai Port in lorry. Hence, the case.

3.The learned counsel for the petitioner would submit that this is the second application for anticipatory bail filed by the petitioner and the petitioner was earlier granted anticipatory bail by this Court in Crl.O.P.No.10159 of 20223 vide Order dated 09.06.2023. However, due to personal reasons, he was unable to furnish the sureties and thereby, the earlier order has got lapsed and the present anticipatory bail has been filed.



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4. The learned Government Advocate (crl.side) appearing for the respondent Police would submit that the petitioner along with other accused committed theft of 250 boxes of footwear, which were transported from Cheyyar, Thiruvannamalai District to Chennai Port in lorry. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (crl.side) and perused the entire materials available on record.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel on either side and also taking note of the fact that the petitioner is now ready to execute the sureties before the trial Court, 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 Judicial Magistrate No.II, Poonamallee, on condition that the petitioner shall execute a 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 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 daily 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



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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;

21.08.2023

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