



Crl.O.P.No.17712 of 2023

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RMT.TEEKAA RAMAN,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 379 of IPC, in Crime No. 205 of 2023, on the file of the respondent, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner along with other accused persons have stolen 55 metres of Copper wire worth of Rs.30,000/- from Suzlon Windmill. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the respondent. He would further submit that the petitioner is ready to abide by any condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) would submit that the petitioner along with other accused persons committed in theft of 55 metres of Copper wire to the tune of Rs.30,000/-from Suzlon Windmill. He would further submit that out of 55 metres of copper wire 34 metres have been recovered from the accused. He would also submit that A1 was arrested and released on bail. Based on the confession statement of the A1, this petitioner has been implicated in this case. He would further submit that the petitioner has no previous case against him. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances and also the submissions of the learned Counsels, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;



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6. Accordingly, the petitioner is directed to deposit a sum of Rs.5,000/- (Five Thousand only) to the credit of Crime No. 205 of 2023 and on such deposit, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **Judicial Magistrate Court – II, Udumalpet**, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty 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 every day at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.



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[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 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 abscond, a fresh FIR can be registered under Section 229A IPC.

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