



Crl.O.P.No.18483 of 2023

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**RMT.TEEKAA RAMAN, J.**

The petitioner, who apprehend arrest at the hands of the respondent police for the offence punishable under Section 380 of I.P.C., in Crime No.332 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 05.06.2023, the warehouse keeper, warehouse supervisor and the complainant went and look around the campus and found that the upper bolt nuts of some of the transformer had been removed from a total of 8 transformer and total of 4 parts of the transformer and copper and aluminum wires were stolen about 503.25, 112.86 kilograms respectively and its value around Rs.2,01,957/- . Hence the case.

3. The learned Counsel for the petitioner would submit that the petitioner is innocent person and he did not commit any offence as alleged by the respondent. He would further submit that the complaint was filed only on 06.07.2023 which is more than 27.00 hours of delay. Hence, he prayed for grant of anticipatory bail to the petitioner.



Crl.O.P.No.18483 of 2023

WEB COPY

4. The learned Government Advocate (Criminal Side) for the respondent would submit that the petitioner is committed the alleged offence. Hence, he opposed for grant of anticipatory bail to the petitioner .

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner .

7. Accordingly, the 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 Judicial Magistrate, Thirukalukundram** on condition that the petitioner shall execute a separate 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 respondent police or the police officer who



Crl.O.P.No.18483 of 2023

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 is directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to execute the sureties within a period of four weeks from the date on which the order copy made ready,**

[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of four weeks;

[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



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Crl.O.P.No.18483 of 2023

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.

22.08.2023

nvi



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Crl.O.P.No.18483 of 2023

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nvi

**Crl.O.P.No.18483 of 2023**

22.08.2023