



Crl.O.P.No.18411 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.179 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner committed theft of two cows belongs to the defacto complainant. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that since the grandmother of the petitioner made a complaint regarding misappropriation of the lands belongs to the Poothanam Board to the District Collector, a false complaint has been given against the petitioner. Therefore, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (crl.side) appearing for the respondent Police would submit that the cows have been secured from the friend of the defacto complainant.

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

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and also of the fact that the cows have been secured, this Court is inclined to grant 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, Harur, Dharmapuri**, 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 respondent police



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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., for a period of six weeks and thereafter as and when required for interrogation;

[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



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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;

24.08.2023

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