



Crl.O.P.No.22920 of 2023

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C.V.KARTHIKEYAN,J.

The petitioner seeks anticipatory bail in Crime No.154 of 2021 registered by the respondent police for the offence punishable under Section 380 of IPC.

2. The case of the prosecution is that the petitioner along with other accused entered into the house of the defacto complainant and committed in theft of six sovereigns of gold chain with two android mobile phones. Hence, the complaint.

3. It is stated by the learned counsel for the petitioner that A1 was arrested and subsequently, released on bail. It is stated on behalf of the respondent that FIR had been registered in the year 2021 for theft of gold chain. It is stated that the properties have not yet been recovered.

4. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:



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5. 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 **Judicial Magistrate, Ambur**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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 everyday at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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

6. The petitioner is directed to co-operate with the investigation and recovery of the gold chain. If the petitioner does not co-operate for the investigation, liberty is hereby granted to the respondent to file a petition seeking cancellation of anticipatory bail granted today.

06.10.2023

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