



CrI.O.P.No.23116 of 2023

CrI.O.P.No.23116 of 2023

WEB COPY

C.V.KARTHIKEYAN, J.

The petitioners seek anticipatory bail in Crime No.452 of 2023 registered by the respondent Police for the offence under Section 379 of IPC.

2.It is alleged that the petitioners herein had committed theft of fish in the pond belonging to the defacto complainant.

3.The learned Government Advocate submitted that the petitioners have been unlawfully fishing in the pond in the private land of the defacto complainant.

4.Taking into consideration all these facts, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5.Accordingly, the petitioners are 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 District Munsif cum Judicial Magistrate, Gummidipoondi, on condition that the petitioners 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 intends to arrest or to the satisfaction of the learned Magistrate concerned, failing



Crl.O.P.No.23116 of 2023

which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**;



Crl.O.P.No.23116 of 2023

WEB COPY

[f] If the accused thereafter absconds, a fresh
FIR can be registered under Section 229A IPC;

09.10.2023

vk



WEB COPY



Crl.O.P.No.23116 of 2023

C.V.KARTHIKEYAN, J.

vk

Crl.O.P.No.23116 of 2023

09.10.2023