



Crl.O.P.No.23160 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 454,380 of IPC in Crime No.410 of 2014, seeks anticipatory bail.

2. The case of the prosecution is that on 21.12.2014 the defacto-complainant and his family members went to family function at that time three sovereigns of gold neck chain and cash for a sum of Rs.14,600/- were stolen by the Accused.

3. The learned counsel for the petitioner stated that the petitioner has been arrayed as Accused No.4 in this case. He also stated that the petitioner is an innocent person and he has not committed any offence as alleged by the respondent. After recording the confession statement of other accused, this petitioner's name is implicated as Accused No.4 in this case. Hence, he prays for grant of anticipatory bail.



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4. It is stated by the learned Government Advocate (Criminal Side) that the petitioner is alleged to have committed theft on 22.12.2014 and further stated that three sovereigns of gold neck chain and cash Rs.14,600/- has been stolen by the petitioner. It is further stated that nine previous cases as against the petitioner is pending for trial. It is also stated that the gold alone had been recovered.

5. Taking into consideration of the fact of partial recovery and the fact that FIR is in the year of 2014, this Court is inclined to grant anticipatory bail to the petitioner herein with certain conditions.

6. 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 No.II, Thirupattur** 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 or the police officer who intends to arrest or to the



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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 appear before the respondent police daily at 10.30 a.m., until further orders.

[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



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

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