



Crl.O.P.No.24587 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 380 of IPC in Crime No.332 of 2023, seeks anticipatory bail.

2.It is stated that the petitioner along with other accused persons had committed theft from the stores of TNEB at Thimmavaram about 500 Kgs of copper wire. It is stated that the 1st and 2nd accused had been arrested and released on bail by the Judicial Magistrate No.II, Chengalpaet in Crl.M.P.Nos.5538 of 2023 and 5629 of 2023 dated 13.07.2023 and 14.07.2023 respectively. It is also stated that 25 Kgs of copper wire had been recovered.

3.The learned counsel for the petitioner submitted that the petitioner is only a friend of A1 and he has been falsely implicated in this case.

4.Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner herein with certain conditions.



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5. Accordingly, the petitioner is directed to deposit a sum of **Rs.30,000/-** to the credit of **Crime No.332 of 2023** and the learned **Judicial Magistrate – II, Chengalpet** may deposit it in an interest earning account. On completion of trial, if the petitioner is acquitted, the amount can be returned back to him, if ultimately he is convicted then it can be handed over to the defacto complainant. On such deposit, 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 Court – II, Chengalpet, 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 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.



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[b] the petitioner shall report 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 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.

31.10.2023

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C.V.KARTHIKEYAN, J.

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