



Crl.O.P.No.31287 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 457, 380(2) of IPC in Cr.No.121 of 2021 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that petitioner is that on 06.04.2021, the petitioner had trespassed into the temple and committed theft of idols worth about Rs.50,000/-. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not been committed any offence as alleged by the prosecution. Since he happens to be the friend of main accused. He further submitted that this is the second anticipatory bail petition. Therefore, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) would submit that the



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the petitioner had trespassed into the temple and committed theft of idols worth about Rs.50,000/-. He would further submitted that one previous case as against the petitioner and stolen idol has been recovered. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that the stolen idol has been recovered. This Court is inclined to grant anticipatory bail to the petitioner.

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 of receipt of a copy of this order, before the learned **Judicial Magistrate, Katpadi** on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)**, with two sureties out of which one surety shall be a blood relative of the petitioner 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 and on further condition that:



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(a)the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned 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 two months 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 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]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

03.01.2023

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To

WEB COM The Judicial Magistrate, Katpadi

T.V.THAMILSELVI, J.

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