



Crl.O.P.No.26435 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner seek anticipatory bail in Crime No.441 of 2023 registered by the respondent Police for the offence under Sections 379 of I.P.C.

2.It is the case of the respondent that the petitioner/A2 and other accused/A1 attempted to steel copper wire measuring about 15 meter from a bore well. When they tried to ran away they fell down and attained severe injuries and the first accused had escaped and this petitioner /A2 was admitted in the hospital.

3. The learned Government Advocate (Crl side) submitted that there is no previous case against the petitioner.

3. In view of the above fact that particularly there is no previous case against the petitioner., this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

4.Accordingly, the petitioner is 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 Judicial**



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Magistrate-I, Sankari, 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.

[b] the petitioner shall report before the respondent Police, daily at 10.30 a.m. and 5:30 p.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



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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;

21.11.2023

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