



Crl.O.P.No.26830 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners seek anticipatory bail in Crime No.180 of 2023 registered by the respondent Police for the offence under Section 379 IPC.

2. It is stated by the learned Government Advocate (Criminal Side) that the Petitioners and others had jointly cut the branches of Tamarind Trees and stolen them. He also stated that whatever stolen were also recovered.

3. The learned counsel for the petitioner stated that the petitioners were never involved in the alleged offence as stated by the respondent. He also stated that A1 had been arrested and had released on bail. Hence, he prays for grant of anticipatory bail to the petitioners.

4. Taking into consideration of all these factors, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. 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 Judicial Magistrate,**



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Gudiyatham, on condition that the petitioner 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 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 the 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.



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[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]**.

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

27.11.2023

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