



Crl.O.P.No.27111 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/A5, A12, A6, A8, A4, A10, A11, who apprehend arrest for the alleged offences punishable under Sections 294 (b), 323 and 380 IPC, in Crime No.511 of 2023, on the file of the respondent police, seek anticipatory bail.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) on behalf of the respondent.

3.It is stated that A1, A2 & A3 had been arrested and granted bail. There are totally 13 accused. It is stated that all the accused persons had stolen copper wire cable from Nagai Power Plant. This was informed by the security officer, who was on duty on 04.10.2023.

4.The learned counsel for the petitioners states that the names of the petitioners are not found in the FIR. He further stated that they are innocent of the offences. The property which had been stolen had been recovered.



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5.Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioners. 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 Court No.II, Nagapattinam**, on condition that the petitioners 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 everyday for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[d] the petitioners 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]**.

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

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