



Crl.O.P.No.28004 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/A1, A2 seek anticipatory bail in Crime No.235 of 2023 registered by the respondent Police for the offences punishable under Sections 427, 457 and 380 of IPC.

2. The defacto complainant was a tenant under the petitioners running a covering jewellery shop. The defacto complainant had filed O.S.No.802 of 2022 seeking protection of possession. But, in the suit parties had entered into settlement and the defacto complainant had agreed to vacate the shop.

3. It is stated that he had vacated the shop and after two months had filed this complaint alleging that the petitioners had broken open the shop and taken away the covering jewellery.

4. Taking all those factors into consideration, particularly the fact that the petitioners were the landlord and the owner of the building and shop premise, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. 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 **Judicial**



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Magistrate No.V, Coimbatore, 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 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., for a period of two weeks and thereafter, as and when required for the 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



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against the petitioner 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.

15.12.2023

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