



Crl.OP.No.187 of 2024

Crl.O.P.No.187 of 2024

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**C.V.KARTHIKEYAN,J.**

The petitioners are arrayed A5, A6 and A8 seek anticipatory bail in Crime No.1252 of 2023 registered by the respondent police for the offences punishable under Sections 379 of IPC.

2. It is stated that all the accused had committed theft of construction materials kept in the Highway by the defacto complainant /Contractor. The second and third petitioners /A6 and A8 had been arrested and had been granted bail. Hence, the petition stands dismissed as against the second and third petitioners/A6 and A8.

3. Taking all the facts into consideration, this Court is inclined to grant anticipatory bail to the first petitioner/A5 subject to the following conditions:



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4. Accordingly, the first petitioner/A5 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 on which the order copy made ready, before the *learned Judicial Magistrate-I, Villupuram* on condition that the first petitioner/A5 shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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 first petitioner/A5 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 first petitioner/A5 shall report before the respondent police every day at 10.30 a.m until further orders.

[c] the first petitioner/A5 shall not tamper with evidence or witness either during investigation or trial.

[d] the first petitioner/A5 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner/A5 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.

7. With the above directions, this Criminal Original Petition in respect of the first petitioner/A5 stands ordered. The Criminal Original Petition in respect of the the second and third petitioners /A6 and A8 stands dismissed.

**24.01.2024**

Vv



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**24.01.2024**