



Crl.OP.No.814 of 2024

Crl.O.P.No.814 of 2024

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C.V.KARTHIKEYAN,J.

The petitioners/A1 and A2 seek anticipatory bail in Crime No.361 of 2023 registered by the respondent police for the offences punishable under Section 379 of IPC on a complaint given by the defacto complainant about loss of iron rods worth about Rs.15,000/-

2. Objections had been raised on behalf of the respondent that there are several cases pending against A1 and also cases against A2. It is stated that the iron rods which had been stolen have been recovered from the scrap shop. This would only mean that the petitioners had sold the stolen iron rods to the said scrap shop. A further objection is raised about the number of cases which has been filed against A1 and that A1 had been categorized as History Sheeter.

3. Taking into consideration the fact that the iron rods had been recovered, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:



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4. 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, Thiruthuraipoondi*** on condition that the petitioner 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 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 deposit a sum of **Rs.5,000/- (Rupees Five thousand only)** each to the credit of Cr.No.361 of 2023 before the learned Judicial Magistrate, Thiruthuraipoondi within a period of three weeks from the date on which the order copy made ready and on such deposit, the learned Magistrate may hand it to the defacto complainant.



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[c] the petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

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

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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]**.

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

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