



CrI.OP.No.2005 of 2024

CrI.O.P.No.2005 of 2024
and
CrI.MP.No.1949 of 2024

C.V.KARTHIKEYAN,J.

The petitioner/A2 seeks anticipatory bail in Cr.No.668 of 2023 registered by the respondent police for the offence punishable under Sections 341, 392 and 506(i) of IPC, 1860 with respect to an occurrence which took place on 02.12.2023.

2. The learned counsel for the petitioner also filed an application to amend the offence as mentioned in the petition from 391 to 341. Amendment petition stands allowed. Before issuing the order copy, the corrected offence may be mentioned. Amendment also carried out in the petition.

3. It is the case of the prosecution that this petitioner and A1, had taken away a weighing machine and weighing stones from the defacto complainant and escaped in their motor cycle. A1 had been arrested and cash of Rs.4,800/- had been recovered.



Crl.OP.No.2005 of 2024

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4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner 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-II, Tiruvallur* 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 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.



Crl.OP.No.2005 of 2024

WEB COPY

[b] the petitioner shall deposit a sum of Rs.5,000/- to the credit of Cr.No.668 of 2023 and on such deposit, the learned Judicial Magistrate-II, Tiruvallur, may hand it over to the defacto complainant to some extent, it would compensate for the loss of the weighing machine and weighing stones.

[c] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

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

[e] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.

07.02.2024

Vv

Page 3 of 4



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Crl.OP.No.2005 of 2024

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