



Crl.O.P.No.8889 of 2024

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C.V.KARTHIKEYAN,J.

The petitioner/A2 seeks anticipatory bail in Crime No.51 of 2024 registered by the respondent Police for the offences punishable under Sections 457, 380, 414 of IPC, with respect to an occurrence took place on 15.02.2024.

2. It is stated that A1, A3 to A7 had been arrested and are still in custody. There are no previous cases as against the petitioner herein.

3. It is the case of the prosecution that the defacto complainant had found that his Maruti Vitara Breeza car bearing Registration No.TN-06-Y1281 had been missing. He had gone to the Regional Transport Office, Nagapattinam for transfer of vehicle name in the records and found that the vehicle registration number, chassis number and engine number mismatched. Therefore, he had questioned this petitioner and at that time this car went missing. The bail application of A1, A3 to A7 had been dismissed by the learned Judicial Magistrate.



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4. The earlier application seeking Anticipatory Bail was dismissed by this Court on 04.03.2024 in Crl. O.P.No.5125 of 2024. One change in circumstance is that the co-accused who had been taken into custody namely A1, A3 – A7 have been released on bail. The vehicles have also been seized.

5. Taking all the factors into consideration, 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 District Munsic-cum-Judicial Magistrate, Kilvelur, on condition that the petitioner shall execute a 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



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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., until further orders.

[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 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]**.

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

12.04.2024

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