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Crl.O.P.No.9450 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner / A2 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 457 and 380 of IPC in Crime No.351 of 2023, seeks anticipatory bail.

2.The learned Government Advocate (Criminal Side) stated that a complaint had been received on 07.11.2023, that on 01.11.2023, there was a theft in Sri Agni Veeran Temple and Hundiya had been broke open and the amplifier, LED Monitor, DVR, Alarm were also stolen. It is stated that the total value of the properties worth was about Rs.47,000/- and had been recovered. He also stated that there are two previous cases of similar nature as against the petitioners herein.

5.Earlier petition seeking anticipatory bail was dismissed on 20.02.2024 in Crl.O.P.No.3789 of 2024. There is no recovery of the stolen property worth about Rs.47,000/-.

4.Taking all factors into consideration, this Court is inclined to



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grant anticipatory bail to the petitioner, but however, **directing the petitioner to deposit an amount of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of Crime No.351 of 2023 before the learned District Munsif cum Judicial Magistrate, Kattumannarkoil, Cuddalore District. The said amount may be handed over by the leanred District Munsif cum Judicial Magistrate, Kattumannarkoil, Cuddalore District, to the defacto complainant.**

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 District Munsif cum Judicial Magistrate, Kattumannarkoil, Cuddalore District, 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:



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[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 everyday 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.

29.04.2024

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