



CrI.O.P.No.11222 of 2024

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S.SOUNTHAR, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 457 and 380 of IPC, in Crime No.564 of 2023, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 08.09.2023, the defacto complainant is a Co-ordinator of a student's Hostel situated at Chinna Salem. On 08.09.2023, the defacto complainant had locked the office and had gone to Coimbatore. On 10.09.2023, when the defacto complainant returned to her office, she found that some of the articles viz., LED TV, Pen drive, Torch Light and cash of Rs.3000/- were missing. Hence, the case.

3. The learned counsel for the petitioner stated that the petitioner is no way connected with this case and he has been falsely implicated in this case based on the confession statement given by A1. Thus, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) stated that the stolen properties have been substantially recovered from the accused. However, he prays for dismissal of this petition.



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5. Having regard to the nature of allegations made against the petitioner and the other facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 No.II, Kallakurichi**, 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 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;



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[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 abscond, a fresh FIR can be registered under Section 229A IPC;

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