



Crl.OP.No.12896 of 2024

S.SOUNTHAR, J

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The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406, 407, 417, 420, 477A, 381, 120B IPC in Crime No.76 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused had alleged to have stolen diesel without the knowledge of the defacto complainant which belongs to M/s.Powerlimks Company. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the arrested co-accused were released on regular bail. Hence, he seeks to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) submitted that the



petitioner along with other accused had alleged to have stolen diesel without the knowledge of the defacto complainant which belongs to M/s.Powerlimks Company, the same was worth about Rs.40,00,000/-. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Having regard to the allegations made against the petitioner in the FIR and also the fact that the co-accused were released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 XIII Metropolitan Magistrate, Egmore, Chennai* 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



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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 every day 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.

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