



Crl.O.P.No.26685 of 2024

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P.DHANABAL, J.

The petitioner, who apprehends arrest at the hands of the respondent police, for the alleged offence under Section 306 of BNS in Crime No.567 of 2024, on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the petitioner is A7 in this case. The further case of the prosecution is that the petitioner along with other accused had stolen 4 boxes of wire and 24 boxes of wire coil. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case on the basis of the confession of the co-accused. The petitioner is the driver of the load vehicle and he is not involved in any previous case. He further submitted that co-accused, who were arrested, have already been released on bail and the property has also been recovered. Hence, he prayed to grant anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner along with other accused have stolen raw materials belonging to the company of the defacto complainant. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the submissions of both sides and also of the fact that the petitioner is only driver of the vehicle and co-accused have already been released on bail and no previous case is pending against the petitioner, I am 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 (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate, Sriperumbudur**, on condition that the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each 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 and on further condition that:

[a] the petitioner shall report before the respondent police daily



at 10.30 a.m. for a period of 30 days and thereafter as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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 v. State of Kerala [(2005) AIR SCW 5560].

[e] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of the B.N.S

25.10.2024

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