



Crl.O.P.No26680 of 2024

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P.DHANABAL,J.

The petitioner/accused who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 457 and 511 of IPC in Crime No.28 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Deputy Officer of Hudson Agro Products Ltd., situated at Golasanhalli Panchayat. On 26.02.2024, at about 9.40 p.m some unknown six persons at the backside of the Mega Frozen Storage near cremation area have attempted to steal copper wire worth about Rs.2,00,000/-. The security and the supervisor have tried to secure them, the accused escaped from the scene of occurrence and on seeing them, they have thrown out copper wires there itself. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as



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alleged by the prosecution. He further submits that the petitioner is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the petitioner along with others have attempted to steal the copper wire which belongs to the the Hudson Agro Products Ltd., worth about Rs.2,00,000/- He further submits that A1 and A2 were arrested and remanded to judicial custody. However, he vehemently, opposed to grant anticipatory bail to the petitioner.

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

6. Considering the nature of offence, attempt of theft, and there was no previous case against this petitioner and also the fact that the prime accused was arrested and still in prison and considering all other aspects, this



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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 **Judicial Magistrate, Palacode** 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the Judicial Magistrate Court, Palacode on all working days at 10.30 a.m., for a period of thirty days.

[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



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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].

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

25.10.2024

Vv



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