



Crl.O.P.No.26523 of 2023

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C.V.KARTHIKEYAN,J.

The petitioner/A4 who apprehends arrest at the hands of the respondent Police for the offences under Section 379 of IPC in Crime No.591 of 2023, seeks anticipatory bail.

2.It is stated that A1 and A2 had stolen 2000 litres of oil which were stored at Chennai Petroleum Corporation Limited. It is stated that the petitioner had purchased oil. There are two version given about the value of the said oil. According to the learned Government Advocate, the total value is Rs.15,00,000/- whereas the learned counsel for the petitioner states that it is Rs.90,000/-. But at any rate, the oil has now been sold and it cannot be recovered.

3.The prosecution will have to establish their case even reasonable doubt during the course of trial. It is also stated that A1 and A2 have been arrested and later, released on bail.

4.Taking all the factors into consideration, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions:

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



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date on which the order copy made ready, before the Judicial Magistrate, Tiruvottiyur on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties 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 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 daily at 10.30 a.m., until further orders.

[c] the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime No.591 of 2023 before the Judicial Magistrate, Tiruvottiyur. On such deposit, the learned Magistrate may retain the same in any fixed deposit earning interest and on conclusion of the trial, pass appropriate order.

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

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

24.01.2024

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