



Crl.O.P.No.28809 of 2024

A.D.JAGADISH CHANDIRA, J.

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 379 of IPC in Crime No.179 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, based on the complaint given by the defacto complainant one Arokiyaraj that his mobile phone was missing, a case was registered. Thereafter, during the course of investigation, it has come into light that the petitioner had committed the alleged offence.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and have not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He also further submitted that the case was registered in the year 2022 and enquiry was conducted in CSR, in which the petitioner has also appeared for enquiry. He would further submit that the petitioner is ready to produce solvent sureties and to abide with any conditions that may be imposed by this Court and also to appear and co-operate for the investigation, therefore, he prayed for the grant of



anticipatory bail to the petitioner.

WEB COPY

4. Learned Government Advocate (Crl. Side) appearing for the respondent police would submit that during the course of investigation done by the respondent police, based on the complaint of missing mobile phone, given by the defacto complainant, the petitioner herein was arrayed as an accused and the petitioner is having one previous case, similar in nature. He also vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side, 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 Metropolitan Magistrate II, Egmore** on condition that the petitioner shall execute a separate



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 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].



WEB COPY

Crl.O.P.No.28809 of 20



A.D.JAGADISH CHANDIRA, J.

stn

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

19.11.2024

stn

Crl.O.P.No.28809 of 2024