



Crl.O.P.No.28788 of 2024

A.D.JAGADISH CHANDIRA, J.

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 380 and 411 of IPC in Crime No.294 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, as per the defacto complainant one Venugopal, who is working in SLB Ethonal Private Limited, SIPCOT, Thervoy Kandigai, some unknown persons had committed theft two copper sheets worth about Rs.1,50,000/- from the office premises. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and no way connected with the alleged offence and he has been falsely implicated in the case. He also further submitted that the main accused, who have committed the theft has been arrested and remanded to judicial custody, this petitioner is only the friend of the main accused. 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.

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4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for the grant of anticipatory bail to the petitioner, stating that the petitioner along with other accused had involved in the theft of copper sheets worth about Rs.1,50,000/- from the defacto complainant's premises. He would further submitted that A1 to A4 were arrested and remanded to judicial custody and the petitioner herein has been arrayed as A5 and there is no previous case, as against 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 and considering the fact that there is no previous case as against the petitioner, 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 District Munsif cum Judicial Magistrate, Gummidipoondi** 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 everyday 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.



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[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].

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

19.11.2024

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