



WEB COPY



Crl.O.P.No.28385 of 2023

Crl.O.P.No.28385 of 2023

C.V.KARTHIKEYAN, J.

The petitioner/A3 seeks anticipatory bail in Crime No.345 of 2023 registered by the respondent Police for the offences punishable under Sections 294(b), 427 and 506(i) of IPC.

2. It is stated that the respondent had seized one Tractor with sand belonging to one Ezhumalai. Thereafter, the accused person came to know that the defacto complainant had given information about the sand theft. Therefore, they had run over to the house of the defacto complainant and had damaged the glass of pick up van bearing registration No.TN 23 BW 0613.

3. The earlier anticipatory bail application had been dismissed by this Court, but the change in circumstance is one of the accused had been arrested but had also been granted bail.



Crl.O.P.No.28385 of 2023

WEB COPY

4. However, taking all those factors into consideration this Court is inclined to grant anticipatory bail to the petitioner, but however, directing the petitioner to deposit a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** as **non-refundable deposit to the credit of Crime No.345 of 2023, before the Judicial Magistrate No.I, Thirupathur** and on such deposit, the **Judicial Magistrate No.I, Thirupathur** may hand over to the defacto complainant to compensate for the loss suffered due to damage of his vehicle.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate No.I, Thirupathur**, 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 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:



Crl.O.P.No.28385 of 2023

WEB COPY

[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., for a period of two weeks and thereafter, as and when required.

[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 petitioner 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]**.



Crl.O.P.No.28385 of 2023

WEB COPY

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

05.01.2024

rjr



WEB COPY



CrI.O.P.No.28385 of 2023

C.V.KARTHIKEYAN, J.

rjr

CrI.O.P.No.28385 of 2023

05.01.2024