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Crl.O.P.No.28454 of 2023

C.V.KARTHIKEYAN, J.

The petitioner/A2 in Crime No.117 of 2023 registered by the respondent Police for the offences punishable under Section 381 of IPC for commission of theft of his milk containers, seeks anticipatory bail.

2. It is stated that the accused had stolen 20 tubs with milk packets, totally 480 milk packets. The said milk packets had been recovered.

3. However, taking all other factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioners 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 **Judicial Magistrate, Ambattur,** 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,

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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., 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].**

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

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