



CrI.O.P.No.28759 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner / accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 381 of IPC in Crime No.868 of 2023, seeks anticipatory bail.

2.It is stated that the petitioner is a bus conductor under Tamil Nadu State Transport Corporation (Villupuram limit). The defacto complainant is a branch Manager. It is stated that on checking the tickets, it was found that eight tickets had been issued by the petitioner to the passengers, but it was not entered in the ticket invoice. It is further stated that after further enquiry, it was found that the petitioner had similarly issued about forty four tickets.

3.Earlier application seeking anticipatory bail was dismissed on 24.11.2023 in CrI.O.P.No.26643 of 2023. The significant change in circumstance is that the substantial progress in the investigation



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conducted by the respondent. The relevant documents are also seized by the respondent.

4.Taking all these factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner and with certain 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 date on which the order copy made ready, before the learned Judicial Magistrate – I, Kallakurichi, 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:

[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



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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.

[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 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]**.

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

03.04.2024

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