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Crl.O.P.No.31609 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02-01-2025**

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 31609 of 2024

M.Jaffer
C/o.Mustafa,
39 Bahadursha Nagar Arni Road,
Sainathapuram, Allapuram Post,
Vellore-632 001.

Petitioner

Vs

The State Rep by its
The Sub Inspector of Police,
Kiliyanoor Police Station,
Villuppuram District- 604 102.
(Crime No. 709/2024).

Respondent

For Petitioner:

Mr.Sai Sharavan Kumar K

For Respondent:

Mr.S.Santhosh
Government Advocate (Crl.Side)

ORDER

Apprehending arrest in connection with Crime No.709 of 2024 registered for the offence punishable under Section 379 of IPC, the present petition has been filed seeking anticipatory bail.



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2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He would submit that the petitioner is arrayed as A-2, only based on the confession statement of the first accused, he was implicated in this case. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, is that, the petitioner along with other accused committed theft of Remote Radio Unit worth about Rs.30,000/- from the cell phone tower belongs to the defacto complainant. He would submit that the stolen property is not yet recovered. He would further submit that the petitioner was already arrested on 23.10.2024 in Crime No.708 of 2024 and released on bail on 22.11.2024, during such time, the petitioner has committed the offence of theft.

4. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the



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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 Court at Vanur**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 his 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;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action

A.D.JAGADISH CHANDIRA, J.

dsn



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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 269 of B.N.S.

02.01.2025

dsn

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