



Crl.O.P.Nos.22926, 22938 & 22940 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Section 392 r/w 411 of IPC in Crime Nos.1263 of 2021, 325 and 178 of 2022, seeks anticipatory bail.

2.The case of the prosecution is as follows:

(i).Crl.O.P.No.22926 of 2022: On 19.10.2021, while the defacto complainant one P.Sankareshwari was returning to her house along with her two kids after worship and at that time, an unidentified person who came in a bike behind her snatched 6 sovereign chain from his wife worth about Rs.90,000/-. Hence, the complaint.

(ii)Crl.O.P.No.22938 of 2022: On 20.04.2022, while the defacto complainant was returning to her home, a person with green shirt who came in a bike behind her snatched 10 sovereign chain. Hence, the complaint.



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(iii)Crl.O.P.No.22940 of 2022: On 31.01.2022, while the

defacto complainant one T.V.Narayanaswamy was walking along with his wife and at that time, an unidentified person who came in a bike behind them snatched a chain from his wife worth about Rs.30,000/-. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has been falsely implicated in this case. He would further submit that the petitioner's son-in-law one Sounthara Kumar was implicated by the respondent Police in all these cases and he was arrested and based on his confession, the robbed jewels which were pledged with A2 and A3 were recovered. The allegation against the petitioners is that only on the introduction given by the petitioners A1 had pledged the jewels with A2 and A3, the respondent Police implicated her in all these cases. He would further submit that the first accused had eloped with the daughter of the petitioner and later they got married. The petitioner does not know about the criminal background of the first accused/son-in-law of the petitioner and believing him, she had



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introduced A1 to pledge the jewels with A2 and A3 who are pawn brokers. Other than that, she has nothing to do with the alleged offence.

The petitioner was called for enquiry on 10.08.2022 and the petitioner has appeared before the respondent Police for enquiry and she was left out of the Police Station in the same night at 11.45 p.m. Whereas news was spread in the social media as if the petitioner was arrested for having helped her son-in-law in the offence. He would further submit that the main accused has been arrested and later enlarged on bail by the lower Court and in all these cases, the petitioner has been implicated only based on the confession statement recorded from the first accused. Other than that, she has no criminal background. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner is the mother-in-law of the main accused/A1. The main accused is an habitual offender and he used to pledge all the robbed jewels through his mother-in-law/ the petitioner herein. He would also submit that the investigation is pending and he vehemently opposed to grant anticipatory bail to the petitioner.



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5.Taking into consideration the facts of the case and the submissions made by the learned Counsel and that the petitioner has been implicated only based on the confession of the main accused and that she has appeared for enquiry and that the jewels have been recovered and A1 has been released on bail, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions;

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned V Metropolitan Magistrate, Egmore on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties 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



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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 daily at 10.30 a.m, for a period of two weeks and thereafter every Saturday 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]**;



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

22.09.2022

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