



Crl.O.P.No.1165 of 2023

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 457(2), 454(2), 201, 202, 204, 403, 420, 468, 406, 409, 471, 120(b) of IPC and 25(1), 25(2) Antiques and Art Treasures Act, 1972 in Crime No.57 of 2022, seeks anticipatory bail.

2. The case of the prosecution, according to the defacto complainant is that, during the period from 2009 to 2014, the two gold antique gold sheets covering palanquins in Sri Parimala Renganathar Thirukoil worth about Rs.5 crores were stolen by the petitioner along with other accused. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case and he has not committed any such offence as alleged by the prosecution. He



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further submits that based on the same complainant, this petitioner was arrested and released on bail, for the alleged theft of two antique silver sheets covering palanquins in the above temple and the same was replaced. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that totally there are 16 accused in this case and the petitioner herein is arrayed as A16. He further submits that the same complaint has been lodged against him by the defacto complainant on 01.02.2022 for the theft of two antique silver sheets at the same temple. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and the submissions made by both the counsels and also considering the age of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 (15) days from the date of receipt of a copy of this order before the ***learned Metropolitan Magistrate No.II, Egmore, Chennai***, 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 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 Court concerned 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 on every Wednesday at 10.30 a.m., for a period of four weeks;

[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

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conditions has been imposed and the petitioner is 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]***; and;

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

20.01.2023

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