



Crl.O.P.Nos.4225 to 4230 and 4237 an 4239 of 2023

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T.V.THAMILSELVI, J.

The petitioner in Crl.O.P.Nos.4225 to 4230 and 4237 of 2023, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 457, 380 of IPC in Crime Nos.167, 171, 190, 229, 276, 313 and 314 of 2022 and the petitioner in Crl.O.P.No.4239 of 2023 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 392, 397 and 506(ii) of IPC in Crime No.338 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that in connection with the theft case A1 was arrested by the respondent police and certain jewels were recovered from him and remanded him to judicial custody. Based on the confession statement of A1, the petitioner has been implicated in this case. It is alleged that the petitioner received certain jewels from the A1. Hence, the case.



3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side), submits that the petitioner used to receive the stolen jewels from A1 and he will sell it to other persons. He further submitted the petitioner had obtained bail in another case and he was implicated in these cases based on the confession statement recorded from A1. He also submitted that out of 120 sovereigns, 29 were recovered and still 6 kgs of silver and 91 sovereigns is yet to be recovered. Hence, he raised strong objection for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, investigation is almost completed, there is previous no bad antecedent against the petitioner and he also obtained bail in another case , this Court is inclined to grant anticipatory bail to the petitioner.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the **learned Judicial Magistrate No.II, Tambaram, Chennai** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten thousand only)** with two sureties (out of which one surety shall be blood relative) 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 is directed to appear before the respondent police daily at 10.30 a.m., and 05.30 p.m., for a period of three months.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



CrI.O.P.Nos.4225 to 4230 and 4237 an 4239 of 2023

[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]**

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

01.03.2023

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