



Crl.O.P.Nos.7896 & 7898 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 420 I.P.C. in Crime Nos.41 and 42 of 2023, on the file of respondent police respectively, seeks anticipatory bail.

2. The case of prosecution is that one Manikandan had pledged spurious jewellery for a sum of Rs.92,000/- each with the defacto complainant's pawn shops and the petitioner made the defacto complainant to believe that the said jewellery is a 916 gold, however, it is spurious jewellery. Hence, the present complaints have been lodged against the petitioner.

3. The learned counsel for petitioner submitted that this is the second petitions seeking for anticipatory bail. He would submit that he is an innocent person and he has not committed any offence as alleged by the respondent police. He would also submit that he has nothing to do with any



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of the allegation as alleged in the complaint and he has no bad antecedents.

Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for respondent raised objection stating that the petitioner has given a spurious gold to the said Manikandan, who in turn pledged the same in the defacto complainant's shop and he has also made him to believe that the said jewellery is a 916 gold, however it is a spurious jewellery. He would further submit that if he is granted anticipatory bail, he will abscond and tamper the witnesses. He would also submit that this is the second petition seeking for anticipatory bail. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case, and considering the fact that the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. 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 **XV Metropolitan Magistrate Court, George Town, Chennai on condition that the petitioner shall deposit a sum of Rs.30,000/- (Rupees thirty thousand only) each to the credit of Crime Nos.41 and 42 of 2023 respectively before the concerned Magistrate within a period of two weeks from the date of receipt of copy of this order** and also on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each, **in which one surety must be a blood surety**, 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:



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[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 police on every Wednesday 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.

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