



Crl.O.P.No.423 of 2024

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C.V.KARTHIKEYAN, J.

The Petitioners seek anticipatory bail in Crime No.1764 of 2020 registered by the Respondent Police for the offences under Sections 417 and 420 IPC.

2. It is the case of the prosecution that the defacto complainant who is running a pawn shop named Kongu Finance Company at Nagapattinam District had given a complaint stating that two boys aged about 19 and 20 years came and handed over Bangles weighing 14.98 grams and had received a sum of Rs.45,000/- (Rupees Forty Five Thousand only). Subsequently, it was found that the two bangles are covering jewels and not original gold jewels.

3. The learned counsel for the Petitioners stated that the Petitioners herein are aged persons and aged 40 years each and therefore, there is some discrepancy between the description given in the First Information Report about the persons who pledged the jewels and the Petitioners herein.



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4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the Petitioners with certain conditions. Accordingly, the Petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate No.01, Nagapattinam District**, on condition that the petitioners shall execute a separate 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners 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 petitioners shall report before the Respondent Police daily at 10.30 a.m., until further orders.

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



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[d] the petitioners 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 petitioners 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.

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