



WEB COPY



Crl.O.P.No.5169 of 2024

Crl.O.P.No.5169 of 2024

C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.188 of 2023 registered by the respondent Police for the offences punishable under Section 379 of IPC.

2. It is the case of the prosecution that when the defacto complainant and his family had gone to a temple, the gold chain of the child was found missing. It was a 2 sovereigns gold chain.

3. The learned counsel for the petitioner stated that the petitioner is ready to return back the gold chain.

4. However, taking all the other factors into consideration this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is 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 **learned Chief**



Crl.O.P.No.5169 of 2024

Judicial Magistrate, Puducherry, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten 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 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 everyday at 10.30 a.m., until further orders.

[c] At the time of executing the two sureties, the petitioner must hand over the chain to the learned Chief Judicial Magistrate, Puducherry, and the respondent may test the genuinity of the gold chain and the defacto complainant may also verify whether this was the chain which was actually owned by the child and stolen. If an alternative chain had been given or if the chain is not genuine, then the respondent is at liberty to file necessary application seeking cancellation of this order.



Crl.O.P.No.5169 of 2024

WEB COPY

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

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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]**.

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

12.03.2024

rjr



WEB COPY



CrI.O.P.No.5169 of 2024

C.V.KARTHIKEYAN, J.

rjr

CrI.O.P.No.5169 of 2024

12.03.2024