



Crl.O.P.No.8945 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 406, 409 and 420 of IPC, in Crime No.27 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was employed as clerk at the Sriram Finance Company. The allegation is that the petitioner had stolen 11 bag of jewels kept in the bank's locker and replace the same with fake jewels and misappropriated the properties. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner has already deposited Rs.2.5 lakhs and also recovered the jewelries. He further submits that she is ready to abide by any condition that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.



Crl.O.P.No.8945 of 2024

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4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the complaint was given by Senior Chief Manager, of Sriram Finance Limited, where she was employed as in-charge of gold loan section. He further submits that the defacto complainant found that some of the jewels were replaced by fake jewels and it was taken by the petitioner and on enquiry, she paid a sum of Rs.2,30,000/- and also agreed to settle the title deed. He further submits that the title deed was handed over to the Bank Manager, and the investigation is also completed. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels, 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 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 Judicial Magistrate No.I, Poonamallee***, on condition that the petitioner shall execute a



Crl.O.P.No.8945 of 2024

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 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 Tuesday at 10.30 a.m, for a period of eight 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 conditions has been imposed and the petitioner is released on



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Crl.O.P.No.8945 of 2024

T.V.THAMILSELVI, J.

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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;

25.04.2024

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Crl.O.P.No.8945 of 2024