



Crl.O.P.No.9342 of 2024

T.V.THAMILSELVI, J.

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The petitioner, who apprehends arrest for the alleged offences punishable under Section 392 of IPC in Crime No.397 of 2023 on the file of the respondent/police, seeks anticipatory bail.

2.It is the case of the prosecution that the respondent police received the complaint from one Karpagam, W/o. Selvarasu, residing at No.20, Guru Nane Nagar, Atanur, Kanchipuram District. The defacto complainant residing at the above said address more than 5 years. The defacto complainant working at the Karabakkam Bank more than 15 years, at this juncture while the defacto complainant returning home two unidentified persons followed the defacto complainant, snatched her thali chain and small chain totally 5 soverigns gold. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner is a law abiding citizen and he is hailing from a very reputed family. He is the only bread winner of his family. He will not abscond or tamper with the prosecution witnesses if he released on Anticipatory Bail. Hence, the



learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) submitted that the petitioner is a history sheeter and having previous cases. A1 in this case is still not arrested. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

7.Accordingly, the petitioner is directed to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Sriperumbudur, Kanchipuram District, on condition that the petitioner shall execute a 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 the petitioner, 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall appear before the respondent police daily morning at 10.30 a.m. and evening at 05.30 p.m. for a period of three 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 have been imposed and the petitioner released on bail by the learned Magistrate/trial Judge 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.

17.04.2024

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