



Crl.O.P.No.12272 of 2024

Crl.O.P.No.12272 of 2024

WEB COPY

C.SARAVANAN, J.

The petitioner / A1 herein is apprehending arrest in the hands of the respondent police for the offence under Sections 381 of Indian Penal Code, 1860 in Crime No.52 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner / A1 had worked in the house of the defacto complainant for a period of 3 months from 02.12.2023 to 04.02.2024, at that period 5 pawns of gold jewels was found missing by the defacto complainant from her house, hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and she has been falsely implicated in this case. He also further submitted that the husband of the petitioner had arrived as A2 in Crime No.52/2024 was arrested and remanded to judicial custody and subsequently, he was granted bail by the learned XVIII Metropolitan



Crl.O.P.No.12272 of 2024

Magistrate, Saidapet, Chennai in Crl.M.P.No.5282 of 2024 dated 02.04.2024. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the stolen jewellery of the defacto complainant has been recovered and it is in the custody of the respondent. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen that the petitioner has arrived as the first accused and her husband has arrived as second accused in Crime No.52 of 2024 on the file of the respondent. Further, the husband of the petitioner was arrested and remanded to judicial custody and subsequently released on bail by an order dated 02.04.2024 in Crl.M.P.No.5282 of 2024 passed by the learned XVIII Metropolitan Magistrate, Saidapet, Chennai. The prima facie has an indication that the petitioner may have indulged in theft under Section 381 of IPC.



Crl.O.P.No.12272 of 2024

WEB COPY

6. Considering the submissions made by the learned counsel for the petitioner and learned Government Advocate (Crl. Side) and also considering the fact that the petitioner is a woman, aged only about 24 years, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 Metropolitan Magistrate No.XVIII, Saidapet, Chennai 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 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



Crl.O.P.No.12272 of 2024

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 All Women Police Station, Royapettah regularly at 10.30 AM for a period of two weeks and thereafter as and when required for interrogation.

[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



Crl.O.P.No.12272 of 2024

WEB COPY

be registered under Section 229A IPC.

8. It is also expected that the respondent will complete the investigation and initiated proceedings as made out against the petitioner and her husband as early as possible.

23.05.2024

stn



WEB COPY



Crl.O.P.No.12272 of 2024

C.SARAVANAN, J.

stn

Crl.O.P.No.12272 of 2024

23.05.2024