



Crl.O.P.No.14418 of 2024

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T.V.THAMIILSELVI, J.,

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Section 392 of Indian Penal Code, 1860 in Crime No.141 of 2023, on the file of the respondent police, seeks anticipatory bail.

2.The learned counsel appearing for the petitioners submitted that the petitioners are an innocent persons and they have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

3. The learned Government Advocate (Crl.Side) appearing for the respondent raised objection stating that the petitioners jointly snatched 7 sovereigns of gold chain from the defacto complainant. He further submits that there are totally 2 accused in this case and that the petitioners are ranked as A1 and A2. He also submits that out of 7 sovereigns of gold chain, 5 sovereigns gold chain was recovered from them and 2 sovereigns of gold chain still not recovered.



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5. Heard the learned counsel for the petitioners and the learned Government Advocate (CrI.Side) for the respondent and also perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the both counsel and also considering the fact that the petitioners are ready to abide by any stringent condition that may be imposed by this Court and also they are ready to deposit some amount, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate-1, Vellore**, 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 **(One of the surety must be a blood related one)** 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:



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[a] the petitioners shall deposit totally a sum of Rs.50,000/- [Rupees Fifty Thousand only] to the credit of Crime No.141 of 2023 within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below and on such deposit, the victim is permitted to withdraw the same on filing of affidavit and proper identification and authorization;

[b] the petitioners 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;

[c] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of three months and thereafter, as and when required for interrogation;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners 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 petitioners in accordance with law as if the conditions has been imposed and the petitioners is released on anticipatory 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;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

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