



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Seventh day of February Two Thousand Nineteen

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) Nos.1430 to 1438 of 2019

SENTHILKUMAR

... PETITIONER / ACCUSED RANK NOT KNOWN
IN ALL PETITIONS

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
THIRUCHENDUR POLICE STATION,
THOOTHUKUDI DISTRICT.

... RESPONDENT / COMPLAINANT
IN ALL PETITIONS

(CRIME NO.383/2018)	IN CRL OP(MD).NO.1430 OF 2019
(CRIME NO.384/2018)	IN CRL OP(MD).NO.1431 OF 2019
(CRIME NO.386/2018)	IN CRL OP(MD).NO.1432 OF 2019
(CRIME NO.387/2018)	IN CRL OP(MD).NO.1433 OF 2019
(CRIME NO.388/2018)	IN CRL OP(MD).NO.1434 OF 2019
(CRIME NO.389/2018)	IN CRL OP(MD).NO.1435 OF 2019
(CRIME NO.390/2018)	IN CRL OP(MD).NO.1436 OF 2019
(CRIME NO.391/2018)	IN CRL OP(MD).NO.1437 OF 2019
(CRIME NO.393/2018)	IN CRL OP(MD).NO.1438 OF 2019

For Petitioner : MR.R.PON KARTHIKEYAN Advocate
IN ALL PETITIONS

For Respondent : MR.S.CHANDRASEKAR,
Additional Public Prosecutor IN ALL PETITIONS

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Section 379 IPC in Cr.Nos.383, 384, 386, 387, 388, 389, 390, 391 and 393 of 2018 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that 3 cows of the defacto complainant were missing, which is worth about Rs.45,000/-, for which, the respondent police registered a case. A1 is running a slaughtering house and supplied the cows meat to the shops. On



18.12.2018, the respondent police arrested A1 and based on his confession the respondent police implicated the petitioner in this case. In the confession of A1, it is seen that at the time of occurrence, the petitioner has accompanied with A2.

3. The learned counsel for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution. Further, the learned counsel for the petitioner would submit that A1 to A4 were released on bail by the learned Judicial Magistrate, Thiruchendur and A5 was released on bail by this Court on 07.01.2019. Further, the learned counsel on instructions would submit that without prejudice to his right, the petitioner is ready to deposit a sum of Rs.1,00,000/- (Rupees One lakh only) in favour of Joint Commissioner, Arulmigu Meenakshi Amman Temple, Madurai, for the purpose of maintaining kosalai and for the welfare of cows. Hence, he prayed anticipatory bail to the petitioner and the learned counsel further contended that the petitioner is ready to abide by any of the conditions that is to be imposed by this Court.

4. The learned Additional Public Prosecutor appearing for the State would submit that the investigation is still pending and if the petitioner is ready to donate the above said amount in favour of the Joint Commissioner, Arulmigu Meenakshi Amman Temple, Madurai, for the purpose of maintaining kosalai, this Court may consider the bail application filed by the petitioner.

5. Considering the facts and circumstances of the case, 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruchendur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two common 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 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 learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner is directed to donate a sum of Rs.1,00,000/- (Rupees one Lakh only) to the credit of Joint Commissioner, Arulmigu Meenakshi Amman Temple, Madurai, for the purpose of maintaining kosalai;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m., until further orders;

(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 petitioners 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]**; and;

(g) if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
07/02/2019

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
TIRUCHENDUR.
 2. DO THRO' THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
 3. THE INSPECTOR OF POLICE,
THIRUCHENDUR POLICE STATION,
THOOTHUKUDI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- +1. CC to Mr.R.PON KARTHIKEYAN Advocate SR.No.2627

ORDER
IN
CRL OP(MD) Nos.1430 to 1438 of 2019
Date : 07/02/2019

AE/JC/SAR-II/15.02.2019/3P/6C