



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

Thursday, the Twenty First day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.4292 of 2019

1 MATHAVI
2 MURUGESWARI
3 K.POORANAM
4 R.VIJAYAKUMAR

... PETITIONER / ACCUSED Nos. 1 - 4

Vs

STATE REP. BY,
THE INSPECTOR OF POLICE
BATLAGUNDU POLICE STATION,
DINDIGUL DISTRICT
(CRIME NO.89 OF 2019)

... RESPONDENT / COMPLAINANT

For Petitioners : MR. T. VEERAKUMAR Advocate

For Respondent : MR. K.SUYAMBULINGA BHARATHI,
Government Advocate(Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners who are apprehending arrest at the hands of the respondent police for the alleged offence under Sections 448,294(b), 323,506(i) and 379 of IPC, in Cr.No.89 of 2019, on the file of the respondent police, seek anticipatory bail.

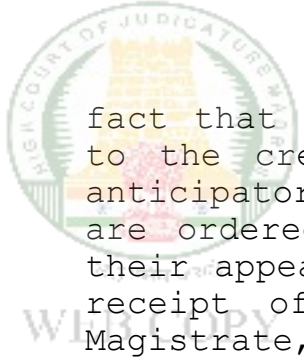
2.The case of the prosecution is that due to business rivalry the petitioners entered into shop of the defacto complainant and stolen a sum of Rs.32,000/- and 3 ½ sovereigns of gold chain. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution. However without prejudice to his rights and contentions the petitioners are willing to deposit Rs.10000/- to the credit in Crime number.

4.The learned Government Advocate(Crl.Side) appearing for respondent would submit that the petitioners have stolen a sum of Rs.32,000/- and 3 ½ sovereigns of gold chain

<https://hcservices.ecourts.gov.in/hcservices/>

5.Considering the facts and circumstances and considering the



fact that the petitioners have come forward to deposit some amount to the credit in crime number, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Nilakottai on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each 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 and on further condition that:

(a) The petitioners are directed to deposit Rs.10000/- to the credit in Crime No. 89 of 2019 before the learned Judicial Magistrate, Nilakottai and thereafter sureties shall be accepted.

(b) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate 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 10.30a.m until further orders

(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 have been imposed and the petitioners 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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
21/03/2019

/ TRUE COPY /

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

TO

1 THE JUDICIAL MAGISTRATE
NILAKOTTAI, DINDIGUL DISTRICT

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
DINDIGUL DISTRICT



3 THE INSPECTOR OF POLICE
BATLAGUNDU POLICE STATION,
DINDIGUL DISTRICT

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

WEB COPY

+1. CC to MR. T. VEERAKUMAR Advocate SR.No.5307

ORDER

IN

CRL OP(MD) No.4292 of 2019

Date :21/03/2019

MSI/VR/SAR 4/25.03.2019/3P-6C