



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/03/2020

WEB COPY

PRESENT

The Hon`ble MR.Justice RMT.TEEKAA RAMAN

CRL OP(MD) . No.4827 of 2020

Tamilarasan

... Petitioner/Accused
(Rank Not Known)

Vs

The State rep. by
The Inspector of Police,
Medical College Police Station,
Thanjavur District.
(Crime No.08 of 2020)

... Respondent/Complainant

For Petitioner : Mr.P.Sathya Moorthy,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side).

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

PRAYER :-

for Anticipatory bail in Crime No.08 of 2020 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner apprehending arrest at the hands of the respondent police for the offence punishable under section 379 of I.P.C., in Crime No.08 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 08.01.2020, the cow belongs to the Defacto complainant was found missing. At that time, the Defacto complainant found the cow in the Market on 09.01.2020 in the hands of one Balasubramanian. Further, the said Balasubramanian admitted that he has stolen the Cow. Hence, the present case came to be registered.



3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.

4. The learned Government Advocate (Crl. side) appearing for the respondent would submit that based upon the confession statement of the co-accused said to have been given to the Police, the petitioner's name was included in the First Information Report.

5. The learned counsel for the petitioner would submit that the petitioner neither indulged in theft nor possessed the stolen property and he was not named in the F.I.R. The bare reading of the F.I.R would not disclose the overt act of the petitioner in the alleged occurrence, since the alleged stolen property was recovered from the first accused. Even according to the F.I.R, the first accused admitted that he had stolen the cow. He would further submit that he is innocent and in no way connected with the present case.

6. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned Judicial Magistrate No. II, Thanjavur and on his executing 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 learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of three days and thereafter as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail shall stand dismissed.

sd/-
18/03/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO. II,
THANJAVUR.

2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

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



3. THE INSPECTOR OF POLICE,
MEDICAL COLLEGE POLICE STATION, THANJAVUR DISTRICT.

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

+1 CC to M/s.C.SENTHIL MURUGAN, Advocate (SR-5431[I] dated
18/03/2020)

ORDER

IN

CRL OP(MD) No.4827 of 2020

Date :18/03/2020

MS/PN/SAR-1/19.03.2020/3P.6C