



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRL.O.P.No.12050 of 2021

1. Murugesan, ...Petitioners  
2. M.Senthil,

Versus

State rep by ...Petitioners  
The Sub-Inspector of Police,  
Valivalam Police Station,  
Nagapattinam District  
(Crime No.332 of 2021)

PRAYER: Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, to enlarge the petitioners on bail in the event of their arrest in Crime No.332 of 2021 on the file of the respondent.

For Petitioners : M/s.P.Muthamizhselvakumar

For Respondent : Mr.A.Gopinath  
Government Advocate (Crl. Side)

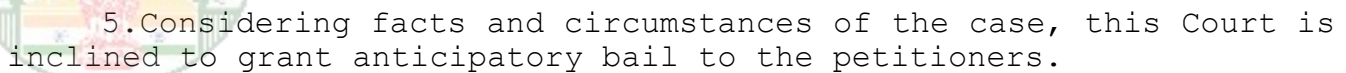
ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Section 379 IPC, in Crime .No.332 of 2021, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused persons had stolen the cows belongs to the defacto complainant. Hence, the complaint was registered.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. However, on instructions, the learned counsel further submitted that the petitioners, on their own volition, are ready and willing to contribute a sum of Rs.20,000/- to Sri Kapaleeshwarar Temple and Arulmigu Marundeeswarar Temple, for the purpose of maintaining the Goshala's (பசுமடம்).

4.The learned Government Advocate (Crl.Side) submitted that there four previous cases pending against the petitioners. However, he vehemently opposed for grant of anticipatory bail to the petitioners.



(a) if the petitioners failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(c) the second petitioner shall make a non-refundable deposit of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Executive Officer, Sri Kapaleeswarar Temple, Mylapore, Chennai, for the purpose of maintaining the Goshala's (பசுமடம்), without prejudice to his defence before the trial Court and submit the proof of payment of the said amount before the aforesaid learned Judicial Magistrate, who after perusing the challan/ receipt/acknowledgement, shall accept the sureties furnished by the petitioner;

(e) the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders;

(g) the petitioners shall not abscond either during investigation or trial;

have been imposed at  
<https://hcservices.ecourts.gov.in/hcservices/>



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;

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

-sd/-  
13/07/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)  
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE NO.I,  
NAGAPATTINAM,

2 THE CHIEF JUDICIAL MAGISTRATE  
NAGAPATTINAM DISTRICT (FOR INFORMATION) .

3 THE EXECUTIVE OFFICER,  
ARULMIGU MARUNDEESWARAR TEMPLE,  
THIRUVANMIYUR, CHENNAI.

4 THE EXECUTIVE OFFICER,  
SRI KAPALEESWARAR TEMPLE, MYLAPORE,  
CHENNAI.

5 THE SUB INSPECTOR OF POLICE  
VALIVALAM POLICE STATION,  
NAGAPATTINAM DISTRICT.

6 THE PUBLIC PROSECUTOR  
HIGH COURT, MADRAS.

CC to M/S.P.MUTHAMIZHSELVAKUMAR Advocate on payment of  
necessary charges

CRL OP.12050/2021

Date :13/07/2021