



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

Date : 13/09/2021

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.13159 of 2021

Manickasundaram @ Suresh

... Petitioner/Accused

Vs

State Rep.by
The Inspector of Police,
Keeranur Police Station,
Pudukkottai District.
Crime No.247 of 2021

... Respondent/Complainant

For Petitioner : Mr.S.Ramasundarvijayaraj, Advocate.

For Respondent : Mr.P.Kottai Chamy,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory bail in Crime No.247 of 2021 on the file of the Respondent Police.

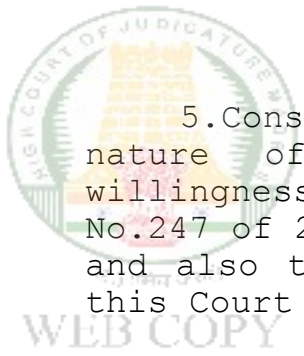
ORDER : The Court made the following order :-

The petitioner apprehending arrest for the offence punishable under Section 379 I.P.C, in Crime No.247 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused has stolen the defacto complainant's goats, worth about Rs.20,000/-.Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. However, to show his bona fide, the petitioner is ready to deposit a sum of Rs.10,000/- to the credit of Crime No.247 of 2021 without prejudice to his case before the trial Court.

4.The learned Government Advocate(Crl.Side) appearing for the respondent submits that totally four accused in this case. The accused nos.1 and 2 were arrested and released on bail and there is no specific averment as against this petitioner and he is not having any bad antecedent.



5.Considering the facts and circumstances of the case, the nature of allegation levelled against the petitioner, his willingness to deposit a sum of Rs.10,000/- to the credit of Crime No.247 of 2021, without prejudice to his case before the trial Court and also the fact that he has not involved in any other offence, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this Criminal Original Petition is allowed and 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 Court, Keeranur, on condition that the petitioner shall execute 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 conditions that:

[a]the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhaar card or bank pass book to ensure their identity.

[b]the petitioner shall deposit a sum of Rs.10,000/- (Rupees ten thousand only) to the credit of Crime.No.247 of 2021 before the learned Judicial Magistrate, Keeranur, without prejudice to his case before the trial Court.

[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 the 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 petitioner 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]**.

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

sd/-
13/09/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

TO

1. THE JUDICIAL MAGISTRATE, KEERAMUR.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.
3. THE INSPECTOR OF POLICE,
KEERANUR POLICE STATION,
PUDUKKOTTAI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-6198[I] dated 14/09/2021)

ORDER

IN

CRL OP(MD) No.13159 of 2021

Date :13/09/2021

MSA

MS/PN/SAR-4/23.09.2021/3P.6C