



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/01/2022

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL OP(MD). No.894 of 2022

1. Subramanian
2. Periyasamy
3. Sudalaimani

... Petitioners/Accused Nos.1 to 3

Vs

The State rep.by,
The Inspector of Police,
Tiruchendur Temple Police Station,
Tiruchendur,
Thoothukudi District.
Crime No.132 of 2021.

... Respondent/Complainant

For Petitioners : Mr.J.David Ganesan,
Advocate.

For Respondent : Mr.S.Manikandan,
Government Advocate (Crl.Side)

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

PRAYER :-For Anticipatory Bail in Crime No.132 of 2021 on the file of the Respondent police.

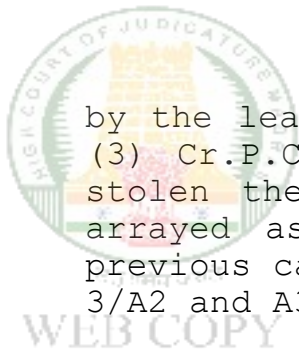
ORDER : The Court made the following order :-

The petitioners/Accused No.1 to 3, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 379 and 506 (ii) I.P.C, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners broke the lock of the defacto complainant's godown and has stolen the good worth about Rs.81,700/-. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that the second petitioner is aged about 86 years.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that on the basis of the direction given



by the learned Judicial Magistrate, Tiruchendure, under Section 156 (3) Cr.P.C., the case came to be registered. The petitioners has stolen the goods worth about Rs.81,700/-. The petitioners are arrayed as A1 to A3 and the first petitioner/A1 is having one previous case, under Section 506(ii) I.P.C and the petitioners 2 and 3/A2 and A3 is having no previous case.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Tiruchendur, 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 learned Magistrate concerned and the petitioners shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners 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 stands dismissed.

sd/-
20/01/2022

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/ /2022

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.

TO

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

ORDER IN
CRL OP(MD) No.894 of 2022
Date :20/01/2022

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