



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.04.2022

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PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD) . No.5434 of 2022

Blessingsudar @ Blessic Suder ...Petitioner/Accused No.1

Vs

State rep.by
The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District.
(Crime No.171/2021)

... Respondent/Complainant

For Petitioner : Mr.A.Mohamed Haneefa, Advocate.

For Respondent : Mr.T.Senthilkumar,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.171 of 2021 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent Police for the offence punishable under Section 379 IPC, in Crime No.171 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused had entered into the Panchayat Office and stolen CCTV Camera and thereby, committed offence punishable under Section 379 IPC.

3. The learned counsel for the petitioner submits that the petitioner, though denied the allegation levelled against him, is prepared to donate five CCTV cameras to the Panchayat Office, Chokkankudiyiruppu. To that effect, an undertaking affidavit has also been filed before this Court.



4. Heard the learned Additional Public Prosecutor appearing for the respondent Police.

5. Considering the nature of allegations levelled against the petitioner and also considering his readiness to donate five CCTV cameras to the concerned Panchayat Office, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed. 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, Sathankulam, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required;

[c]the petitioner shall not tamper with the evidence or witness either during investigation or trial;

[d]the petitioner shall not abscond either during investigation or trial;

[e]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]** and

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

Sd/-

06/04/2022

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



TO

1. THE JUDICIAL MAGISTRATE,
SATHANKULAM.

2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3. THE INSPECTOR OF POLICE,
THATTARMADAM POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1. CC to M/S.MOHAMED HANEEF.A Advocate SR.No.3182

ORDER

IN

CRL OP(MD) No.5434 of 2022

Date :06/04/2022

SP/SVR/SAR I/13/04/2022/3P/6C