



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)
Dated: 20/10/2022
PRESENT

The Hon'ble Mr.Justice G.ILANGO VAN

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Crl.OP (MD) Nos.13112 and 16319 of 2022

(1).Crl.OP(MD)No.16319 of 2022:-

Selvakumar : Petitioner/Accused NO.1

Vs.

The State rep. by
The Inspector of Police,
Ottapidaram Police Station,
Ottapidaram,
Thoothukudi District.
(Crime No.133 of 2022)

: Respondent/Complainant

For Petitioner : Mr.J.Sankara Pandian, Advocate
For Respondent : Mr.S.S.Madhavan,
Government Advocate (Criminal side)

PETITION FOR Anticipatory Bail under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.133 of 2022 on the file of
the Respondent Police.

(2).Crl.OP(MD)No.13112 of 2022:-

K.Maran : Petitioner/Accused 5

Vs.

State represented by
The Sub Inspector of Police,
Ottapidaram Police Station,
Thoothukudi.
(Crime No.133 of 2022)

: Respondent/Complainant

For Petitioner : Mr.S.Selvakumar, Advocate
For Respondent : Mr.S.S.Madhavan,
Government Advocate (Criminal side)

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

<https://www.mhc.tn.gov.in/judis>

**PRAYER :-**

For Anticipatory Bail in Crime No.133 of 2022 on the file of the Respondent Police.

COMMON ORDER : The Court made the following order:-

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The petitioners, who are arrayed as A1 and A5 apprehending arrest for the offence punishable under section 379 IPC, in Crime No.133 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is the owner of a Transport Company. The Company located in Karnataka, placed an order to ship shirts worth about Rs.33,00,000/-. It transported the same to Tuticorin. The above said consignment was transported through a lorry bearing registration No.25-BV-7119 and the lorry driver was Selvakumar. On 01/04/2022, the above said Selvakumar enroute to Tuticorin, has damaged the seal and stolen away shirts worth about Rs.1.66 lakhs. The balance of the consignment was handed over to CFS Company. The Company refused to receive the same stating that seals were broken. Later, Selvakumar returned and on the way, parked the vehicle near Bangarupatti and ran away from that place. Based upon the information received, the case has been registered.

3.Heard both sides.

4.The petitioner namely K.Maran filed Crl.OP(MD)No.11029 of 2022 and that came to be dismissed by this court, by order, dated 24/06/2022 and this is the second application filed by the above said K.Maran in Crl.OP(MD)No.13112 of 2022. So far as Selvam the petitioner in Crl.OP(MD)No.16319 of 2022 is concerned, he is the first accused.

5.At the time of argument, the learned counsel appearing for the petitioners would submit that even though they are not connected with the crime, to show their *bona fide*, they are ready to deposit equally the amount involved in the above said issue namely Rs.83,000/- each to the credit of the Crime No.133 of 2022 before the concerned trial court.

6.In view of the above said undertaking given by the petitioners and also considering the facts and circumstances of the case, this court **is inclined to grant anticipatory bail** to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the learned Judicial Magistrate, Vilathikulam, Thoothukudi District and on each of them 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 pe :s
shall deposit a sum of Rs,83,000/- (Rupees Eighty three thousand only) each, to the credit of the Crime No.133 of 2022 on the file of the Judicial Magistrate, Vilathikulam, Thoothukudi District at the time of furnishing the sureties and on further condition that the petitioners shall appear before the respondent police daily at 10.30 am until further orders. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously. 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 petitions for anticipatory bail shall stand dismissed.

sd/-
20/10/2022

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/11/2022

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

TO

1. THE JUDICIAL MAGISTRATE,
VILATHIKULAM, THOOTHUKUDI DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
3. The Inspector of Police,
Ottapidaram Police Station,
Ottapidaram, Thoothukudi District.
4. THE SUB INSPECTOR OF POLICE,
OTTAPIDARAM POLICE STATION, THOOTHUKUDI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.SELVAKUMAR, Advocate (SR-11774[I] dated 20/10/2022)

ORDER
IN
Crl.OP(MD)Nos.13112 and
16319 of 2022
Date :20/10/2022

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USK/GB/SAR-II/04.11.2022/3P/7C