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

Date : 24/08/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD) . No.14111 of 2022

Rajendran ... Petitioner/Sole Accused

Vs

State rep.by
The Inspector of Police,
Veerakeralampudur Police Station,
Tenkasi District.
(Crime No.111 of 2022). ... Respondent/Complainant

For Petitioner : M/s.Jegadeeshapandian.V.M.,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.111 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 447, 294(b), 379 and 506(ii) I.P.C, in Crime No.111 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as mentioned by the defacto complainant is that he is having $\frac{1}{2}$ share of the property in S.No.1341 and 201/8. 9, 10, 7 and 208/10. On 10.7.2018 the accused persons trespassed into the possession of his property and stolen away 2000 coconuts. Hence, the complaint.



3. The learned counsel for the petitioner submitted that in respect of the above said property suit is also pending and the petitioner is innocent and he has been falsely implicated in this case.

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4. The learned Government Advocate (Crl. Side) for the respondent police submitted that in respect of very same occurrence in the year 2018 also case has been registered in Crime No.276 of 2018. He would further submit that the portion of the property which was trespassed by the petitioner, whether belong to the defacto complainant or to the petitioner is a matter for investigation. He further submitted that the stolen away coconuts are worth about Rs.20,000/-.

5. Considering the fact that in a like manner the petitioner has committed earlier offence in Crime No.276 of 2018 and that he has stolen away the coconut worth about Rs.20,000/-, this Court is inclined to grant anticipatory bail to the petitioner with some conditions.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Alangulam, Tenkasi District 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 condition that the petitioner shall deposit a sum of Rs.20,000/- (Rupee Twenty Thousand only) to the credit of Crime No.111 of 2022 and the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner 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/-

24/08/2022

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/09/2022

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

TRP

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



1. THE JUDICIAL MAGISTRATE,
ALANGULAM, TENKASI DISTRICT.
2. -DO- THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
3. THE INSPECTOR OF POLICE,
VEERAKERALAMPUDUR POLICE STATION,
TENKASI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.14111 of 2022
Date :24/08/2022

SP/SVR/SAR II/05/09/2022/3P/5C