



WEB COPY

CRL OP(MD). N



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

Date : 02/09/2022

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL OP(MD). No.14817 of 2022

A.Balasubramanian ... Petitioner/Accused (Rank Not Known)

Vs

The State rep.by,
The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.
in Crime No.182 of 2022.

... Respondent/Complainant

For Petitioner : Mr.Balaji.G,
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.182 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner is facing charges under Sections 379 IPC in Crime No.182 of 2022 on the file of the respondent police.

2.When the matter was taken up on the first occasion, it was submitted by the petitioner to the effect that even though he is the brother of the 1st accused, he is noway connected with the aforesaid godown and he is working somewhere. To know about the role and the communication of the petitioner in the aforesaid godown, the matter has been listed today. The petitioner produced a lease agreement, which is standing in the name of the 1st accused.

3.The learned Government Advocate (Crl.side) for the respondent would submit that the 1st accused after obtaining the bail has not cooperated with the respondent police to disclose the fact as to how the aforesaid fertilizer has been unloaded in the premises.



4.If there is no cooperation on the side of the 1st accused, the respondent police is at liberty to approach the concerned Court for appropriate orders. Insofar as this petitioner is concerned, no material evidence has been collected to connect him with the aforesaid godown. Since he is the brother of the 1st accused, he has been allegedly roped in the case. On that ground, this Court is inclined to grant anticipatory bail to the petitioner.

5.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, before the learned Judicial Magistrate No.III, Thoothukudi, 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 the petitioner shall appear before the respondent police daily at 10.30 a.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

6.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 shall stand dismissed.

sd/-

02/09/2022

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/09/2022

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 NO.III, THOOTHUKUDI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE
PUDUKOTTAI POLICE STATION, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to M/S.ASHOK.S, Advocate SR.No.9599.

ORDER

IN

CRL OP(MD) No.14817 of 2022

Date :02/09/2022