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CRL OP(MD). N



22

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

Date : 06/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL OP(MD). No.17763 of 2022

Pattan,

... Petitioner/Accused No.1

Vs

State Rep.by
The Inspector of Police,
Gangaikondan Police Station,
Tirunelveli District.
Crime No. 204 of 2022.

... Respondent/Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian, Advocate.

For Respondent : Mr.K. Sanjai Gandhi,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No. 204 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 379 IPC in Cr.No.204 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused said to have transported $\frac{1}{4}$ unit of river sand illegally by using bullock carts. Hence, the complaint.

3. The learned counsel for the petitioner would submit the petitioner is innocent and his name has been falsely implicated in this case.

4.The learned Government Advocate(Crl.Side) would submit that the petitioner is not having any previous case and the investigation of the case is almost completed.

5.Considering the facts and circumstances of the case and also considering the fact that the investigation of the case is almost



completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif Cum Judicial Magistrate, Papanasam, Thanjavur District, 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner is directed to pay a sum of Rs.3,000/- (Rupees Three Thousand only) to the Aram Seya Virumbu, **(Account No:-423150050800264, IFSC Code:- TMBL0000423, Tamil Nadu Mercantile Bank Limited, Ambasamuthiram)** without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties;

(b) 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 Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioner shall report before the respondent police once in a week i.e., on every Saturday at 10.30 a.m., for a period of six weeks and thereafter, as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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]**.

sd/-

06/10/2022

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/10/2022

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



TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE,
PAPANASAM,
THANJAVUR DISTRICT.

2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE
GANGAIKONDAN POLICE STATION,
TIRUNELVELI DISTRICT.

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

COPY TO

THE OFFICER INCHARGE
ARAM SEYA VIRUMBU,
AMBASAMUTHIRAM.

ORDER

IN

CRL OP(MD) No.17763 of 2022

Date :06/10/2022

PKP/GB/SAR /10.10.2022/3P/6C