



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

Date : 07/10/2022

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI
CRL OP(MD). No.18010 of 2022

WEB COPY

Vivek @ Manikandan

... Petitioner/Accused Rank Not Known

Vs

The State Rep.by
The Inspector of Police,
Keelasevalpatti Police Station,
Sivagangai District.
(Crime No.36/2022).

... Respondent/Complainant

For Petitioner : Mr.Sades Kumar S,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.36/2022 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

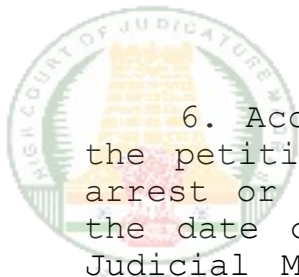
The petitioner, who apprehends arrest at the hands of the
respondent police for the alleged offences punishable under Sections
454, 457, 380 and 427 of IPC, in Crime No.36 of 2022, seeks
anticipatory bail.

2. The case of the prosecution is that the house of the defacto
complainant was broken and three gold coins were stolen. Therefore,
the present case came to be registered.

3.The learned counsel for the petitioner submitted that the
petitioner is an innocent person and he has been falsely implicated
in this case.

4. The learned Government Advocate (crl.side) appearing for the
respondent police submitted that the co-accused has already been
released on bail.

5. Considering the facts and circumstances of the case and also
the fact that the co-accused was already released on bail, this
Court is inclined to grant anticipatory bail to the petitioner.



6. 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, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thirupathur on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two common 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]while executing the sureties, the petitioner shall deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of Crime No.36 of 2022 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

[c]the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three months and thereafter, as and when required for interrogation.

[d]the petitioner shall not tamper with the 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]**.

[g]if the accused / petitioner thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-

07/10/2022

/ TRUE COPY /

/10/2022

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



TO

1. The Judicial Magistrate, Thirupathur.
2. Do-Through The Chief Judicial Magistrate,
Sivagangai District.
3. The Inspector of Police,
Keelasevalpatti Police Station,
Sivagangai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.SADES KUMAR, Advocate (SR-11067[I] dated
07/10/2022)

ORDER
IN
CRL OP(MD) No.18010 of 2022
Date :07/10/2022

RD/TR/SAR-II(11/10/2022) 3P 6C