



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

Date : 20/02/2023

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA
CRL OP(MD). No.3175 of 2023

WEB COPY

Kannan

... Petitioner/Accused No.A1

Vs

The State rep.by,
Inspector of Police,
Thiruppanandal Police Station,
Thanjavur District.
Crime No.905/2022.

... Respondent/Complainant

For Petitioner : M/s.Boomee Rajan P R,
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.905/2022 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the
respondent police for the offences punishable under Section 379 of
I.P.C., in Crime No.905 of 2022 on the file of the respondent
police, seeks anticipatory bail.

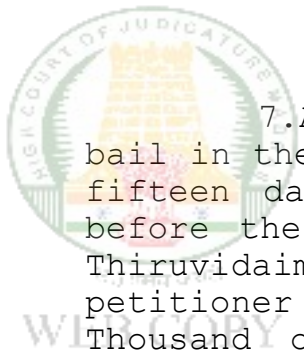
2.The case of the prosecution is that the petitioner along with
the other accused committed theft of the Temple bell and Hundial
containing about Rs.1000/-. Hence, the case.

3.The learned counsel for the petitioner would submit that the
petitioner is an innocent and a false case has been foisted against
him. Hence, he would seek for anticipatory bail.

4.The learned Government Advocate (Crl. side) appearing for the
respondent would submit that the petitioner along with the other
accused committed theft of the Temple bell and Hundial containing
about Rs.1000/-. Hence, he would object for grant of anticipatory
bail.

5.Heard. Perused the materials available on record including
the First Information Report.

6.Taking into consideration of the facts and circumstances of
the case, this court is inclined to grant anticipatory bail to the
petitioner with certain conditions:



7. Accordingly, 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 on which the order copy made ready, before the learned District Munsif cum Judicial Magistrate Court, Thiruvidadaimarudur, Thanjavur 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 Aadhar card or Bank Pass Book to ensure their identity.

[b] the petitioner shall report before the respondent Police, daily at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.

[e] 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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
20/02/2023

/ TRUE COPY /

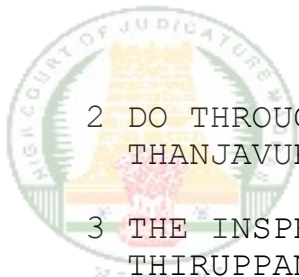
/02/2023

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

SJI

TO

1. THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE COURT,
THIRUVIDAIMARUDUR, THANJAVUR DISTRICT.



2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
THIRUPPANANDAL POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.P.R.BOOMEERAJAN, Advocate (SR-2524[I] dated
20/02/2023)

ORDER

IN

CRL OP(MD) No.3175 of 2023

Date :20/02/2023

RK/MMS/SAR-4 (28/02/2023) 3P/6C