



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/03/2023

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL OP(MD) . No.4376 of 2023

1. Jegadeesh Pandian

2. M.Vijayarani

... Petitioners/
Accused rank not known

Vs

The State rep.by,
The Inspector of Police,
Bazaar Police Sation,
Virudhunagar District.
Crime No. 98 of 2022.

... Respondent/Complainant

For Petitioner : K.Arunraj,
Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

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

PRAYER :-

For Anticipatory Bail in Crime No.98 of 2022 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/A2 & A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 379 IPC of I.P.C., in Crime No.98 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the accused committed theft of 15 sovereigns of gold jewels belongs to the de-facto complainant. Hence, the case.



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

4.There are three accused involved in this case and the petitioners are arrayed as A2 and A3. The first accused was arrested and the entire jewels were recovered from him. Insofar as the petitioners are concerned, they were implicated only based on the confession statement of the first accused. Therefore, the custodial interrogation of the petitioners is not required in this case.

5.Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court No.1, Virudhunagar, Virudhunagar District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 petitioners 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 petitioners shall report before the respondent Police, daily at 10.30 a.m. and 05.30 p.m, for a period of two weeks and thereafter, as and when required for interrogation.

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].



WEB COPY

CRL OP(MD).



23

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

sd/-

07/03/2023

/ TRUE COPY /

17/03/2023

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

sj i

TO

1. THE JUDICIAL MAGISTRATE COURT NO.1,
VIRUDHUNAGAR, VIRUDHUNAGAR DISTRICT.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAER DISTRICT @ SRIVILLIPUTHUR.
 - 3 THE INSPECTOR OF POLICE,
BAZAAR POLICE SATION,
VIRUDHUNAGAR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.K.ARUNRAJ, Advocate (SR-3549[I] dated 07/03/2023)

ORDER

IN

CRL OP(MD) No.4376 of 2023

Date : 07/03/2023

RK/MMS/SAR-4 (17/03/2023) 3P/6C