



CRL OP(MD)No.12086 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD)No.12086 of 2023

Praveen kumar

... Petitioner / Accused No.5

Vs

State represented by
The Inspector of Police,
Chinnalapatti Police Station,
Dindigul District.
(In Crime No.76 of 2023)

... Respondent/Complainant

For Petitioner : M/s.M.Vivek Bharathi,Advocate

For Respondent: Mr.S.Manikandan
Government Advocate (Crl.side)

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

PRAYER :-

For Anticipatory Bail in Crime No.76 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused, apprehending arrest at the hands of the respondent police for the alleged offence punishable under Sections 379 of IPC in Crime No.76 of 2023 on the file of the respondent police, seeks anticipatory bail.



CRL OP(MD)No.12086 of 2023

WEB COPY

2. The case of the prosecution is that on 14.05.2023, the accused persons stolen the defacto complainant's splendor bike bearing registration No.TN 57 M 5142 which was parked in front of Amma Juice Shop and after searching several places, the defacto complainant and his friends found the bike which was in illegal possession of the first accused. Hence the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He has been falsely implicated in this case. Hence, seeks for the relief of anticipatory bail.

4. The learned Government Advocate (Crl.side) would submit that it is a case of theft and basing of the confession statement of the accused No.1, this petitioner has been implicated. The property was also recovered from the first accused and remanded to the concerned trial Court. Three previous cases are pending against the petitioner herein.

5. Considering the fact that the previous cases that were pending against the petitioner herein are for petty offences and the petitioner is not having bad antecedent with regard to theft and the fact that the property has been recovered, this Court is inclined to grant relief to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is



CRL OP(MD)No.12086 of 2023

WEB COPY

ordered to be released on bail in the event of arrest or on his appearance, before the learned District Munsif and Judicial Magistrate, Athur, Dindigul District, on condition that the petitioner 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 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.

7. 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 stands dismissed.

sd/-
21/07/2023

/ TRUE COPY /

/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNN

TO

1 THE DISTRICT MUNSIF AND JUDICIAL MAGISTRATE,
ATHUR, DINDIGUL DISTRICT.



CRL OP(MD)No.12086 of 2023

2 DO THROUGH:

THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE
CHINNALAPATTI POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.M.VIVEK BHARATHI, Advocate (SR-11089[I] dated 21/07/2023)

ORDER

IN

CRL OP(MD) No.12086 of 2023

Date :21/07/2023

PKP/DD/SAR- /05.08.2023/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
copies in this format from 17/07/2023