



CRL OP(MD). No.13106 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13106 of 2023

Durai @ Durairaj

... Petitioner/Sole Accused

Vs

The State, represented by
The Inspector of Police,
Papanasam Police Station,
Thanjavur District.
(Crime No.179 of 2023).

... Respondent/Complainant

For Petitioner : Mr.T.EASHWAR
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.179 of 2023 on the file of the
Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, apprehending arrest at the hands of the
respondent Police for the alleged offence punishable under Section 379 of I.P.C, in
Crime No.179 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Manager of



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Om Sakthi Construction. Their company is doing road repairing work at Thanjavur to Kumbakonam Main road for the past three months. They have used to remove at least part of the surface of a paved road and dumping the same at stock point situated at Uthani. But in order to get benefit illegally, the petitioner unloaded the stock worth about Rs.40,000/- to individual person without his company knowledge. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is working as a Site Supervisor and he did not have any knowledge about the sold waste materials to individual person. Further, he is an innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that the above said Jalli was identified and recovered from nearby place.

5. Considering the profession of the petitioner and the relationship between the defacto complainant and the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed and petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Papanasam, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each



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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/-
19/07/2023

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/07/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

INDU
TO
1 THE JUDICIAL MAGISTRATE, PAPANASAM.
2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
3 THE INSPECTOR OF POLICE,
PAPANASAM POLICE STATION, THANJAVUR DISTRICT.
4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
+1 cc to Mr.T.EASHWAR, Advocate, SR.No.11010 DT.20/07/2023

ORDER IN
CRL OP(MD) No.13106 of 2023
Date :19/07/2023

SA/BUC/SAR. /26.07.2023/3P/5C
Madurai Bench of Madras High Court is issuing
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