



CRL OP(MD) No.13609 of 2023

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

Wednesday, the Twenty Sixth day of July Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN
CRL OP(MD) No.13609 of 2023

SHEIK MOHAMMED

... PETITIONER/ ACCUSED RANK NOT KNOWN

Vs

State Rep.by
THE INSPECTOR OF POLICE
THIRUMANGALAM TOWN POLICE STATION,
THIRUMANGALAM,
MADURAI DISTRICT.
CRIME NO.311/2023.

... RESPONDENT / COMPLAINANT

For Petitioner : M/S.PANDIYARAJ.S. Advocate
For Respondent : MR.B.NAMBISELVAN,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.311 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 Section 379 of IPC in Crime No.311 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 03.07.2023 at about 9.45 pm, when the defacto complainant and other employees went to the godown of Kappalur Toll gate,



where they are working, the accused persons loaded the iron goods in a TATA Ace vehicle. On seeing the defacto complainant, the accused persons fled away from the scene of occurrence. 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. Therefore, seeks for the relief of anticipatory bail.

4. The learned Additional Public Prosecutor would submit that on the basis of the confession statement of the first accused, this petitioner has been implicated in this case. The entire articles have been recovered. The petitioner is not having any previous case.

5. Taking into consideration the facts and circumstances of the case and considering the fact that no previous case has been pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is directed to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Thirumangalam, Madurai 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 learned Magistrate



CRL OP(MD) No.13609 of 2023

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/-
26/07/2023

/ TRUE COPY /

/08/2023

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

pnn

TO

1 THE JUDICIAL MAGISTRATE, THIRUMANGALAM, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE, THIRUMANGALAM TOWN POLICE STATION,
THIRUMANGALAM, MADURAI DISTRICT.

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

+1 CC to M/s.S.PANDIYARAJ, Advocate (SR-11292[I] dated 26/07/2023)

ORDER IN
CRL OP(MD) No.13609 of 2023
Date :26/07/2023

RS/VRS/SAR-(01.08.2023) 3P 6C
Madurai Bench of Madras High Court is issuing
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