



CRL OP(MD). No.13874 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28/07/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13874 of 2023

S.Chelladurai

... Petitioner/ Accused No.1

Vs

The State, represented by
The Inspector of Police,
Embal Police Station,
Pudukkottai District.
(Crime No.34 of 2023).

... Respondent/ Complainant

For Petitioner : Mr.T.Joshua, 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.34 of 2023 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused No.1, apprehending arrest at the hands of the respondent Police for the alleged offence punishable under Sections 379 of I.P.C, in



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Crime No.34 of 2023 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner and two others stolen the defacto complainant's cows and shifted the same to another place through lorry bearing Registration No.TN 63 CX 1838.

3. The learned counsel for the petitioner would submit that the first application that was filed by the petitioner was dismissed by this Court on the ground that the stolen cows have not been recovered. The petitioner has given an undertaking that the above said cows have sold in the open market and he is ready to settle the issue.

4. The learned Government Advocate (Crl. Side) for the respondent Police submitted that the above said two cows are worth about Rs.25,000/- each.

5. Considering the facts and circumstances of this case and considering that the petitioner is ready to settle the issue, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is allowed on condition that the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Cr.No.34 of 2023 before the trial Court concerned, without prejudice to his rights and contentions before the trial Court.

7. On such deposit being made and petitioner is ordered to be released



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on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Thirumayam, Pudukkottai, 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 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.

8. 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. The defacto complainant is permitted to withdraw the amount that has deposited by the petitioner by following proper procedure.

sd/-
28/07/2023

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

INDU



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TO

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- 1 THE JUDICIAL MAGISTRATE,
THIRUMAYAM, PUDUKKOTTAI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
EMBAL POLICE STATION,
PUDUKOTTAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.JOSHUA, Advocate (SR-11507[I] dated 31/07/2023)

ORDER
IN

CRL OP(MD) No.13874 of 2023

Date :28/07/2023

PKP/VR/SAR- /08.08.2023/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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