



CRL OP(MD). No.13987 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/08/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.13987 of 2023

Ramar

... Petitioner/Sole Accused

Vs

State Rep.by
The Inspector of Police,
Kovilpatti East Police Station,
Kovilpatti, Thoothukudi District.
(Crime No.240 of 2023).

... Respondent/Complainant

For Petitioner : M/s.P.Selvakamatchi,
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.240 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 I.P.C, in



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Crime No.240 of 2023 on the file of the respondent police, seeks anticipatory bail.

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2. The defacto complainant lodged a complaint stating that originally the Aircel company, which is now amalgamated with Chennai Network India Limited company entered into lease agreement with this petitioner for the purpose of construction of Aircel tower. After the above said company, because of the financial deficiency, merged with the present company, on one day when they made spot visit, they found the above said Aircel Tower was missing. On the basis of the above said, complaint has been given as if this petitioner stolen the tower and other equipment.

3. The petitioner appeared before the respondent and given statement that the lease period which was entered in 2017 expired in 2020. In the meantime, no proper rent was paid by the above said company. Repeated request that was made by him to settle the amount was not properly attended. In the meantime, the above said company merged with the present company. He gave notice to the company demanding payment of rent and other particulars. After that only the present complaint has been given as if he has stolen away the Aircel tower and other equipment.

4.The learned Additional Public Prosecutor would submit that the letter which produced by this petitioner is fake one.

5.Absolutely, no such material has been collected during the course of



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investigation, to find out the truth of the above said document, which has been produced by the petitioner, which shows that owner of the Aircel company after giving the acknowledgment removed the tower and other equipment.

6.The genuineness of the above said document must be thoroughly verified. So that the petitioner has to appear before the respondent police and co-operate with them to complete the process of enquiry. On that basis, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 No.I, Kovilpatti, 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 appear before the respondent police regularly and co-operate with the respondent police to complete the process of enquiry. 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



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petition for anticipatory bail stands dismissed.

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

TM

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, KOVILPATTI.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE, KOVILPATTI EAST POLICE STATION,
KOVILPATTI, THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.SELVAKAMATCHI, Advocate (SR-11609[I] dated 01/08/2023)

ORDER IN
CRL OP(MD) No.13987 of 2023
Date :01/08/2023

RS/BUC/SAR-(09.08.2023) 4P 6C
Madurai Bench of Madras High Court is issuing
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