



CRL OP(MD). No.17079 of 2023

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

Date : 22/09/2023

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.17079 of 2023

M.Gurusamy @ Kuttai

... Petitioner/ Accused Rank Not known

Vs

The State rep.by,
The Inspector of Police,
A.Mukkulam Police Station,
Virudhunagar District.
Crime No,140 of 2023..

... Respondent/Complainant

For Petitioner : M/s.Manoharan K,
Advocate.

For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.140 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



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police for the alleged offence punishable under Section 379 of I.P.C, in Crime No.140 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 defacto complainant being an agriculturist, doing his agricultural work using the borewell water. On 23.08.2023 at 08.00 a.m., he found the borewell motor and chain block are missing. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case.

4. The learned Government Advocate (Crl. Side) for the respondent police submitted that there is no previous case against the petitioner. The stolen articles have been recovered from the first accused. The co-accused in this case has been released on bail.

5. Considering the fact that the petitioner is not involved in any bad antecedents and the theft articles have been recovered from the first accused, the co-accused has been released on bail by the trial Court, this Court is inclined to grant anticipatory



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bail to the petitioner.

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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 District Munsif cum Judicial Magistrate, Thiruchuli, 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.

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/-
22/09/2023

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/10/2023

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

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<https://www.mhc.tn.gov.in/judis>



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TO
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1. The District Munsif cum Judicial Magistrate, Thiruchuli.
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District @ Srivilliputhur
3. The Inspector of Police,
A.Mukkulam Police Station, Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.MANOKARAN, Advocate (SR-14057[I] dated 22/09/2023)

ORDER
IN

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Date :22/09/2023

RK /DD(06/10/2023) 4P /6C

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