



CRL OP(MD) No.698 of 2024

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

Friday, the Twelfth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.698 of 2024

MUTHURAMALINGAM ... PETITIONER/ ACCUSED RANK NOT KNOWN

Vs

**THE INSPECTOR OF POLICE
KEELA PARALACHI POLICE STATION,
VIRUDHUNAGAR DISTRICT.**

CRIME NO.96/2023 ... RESPONDENT / COMPLAINANT

For Petitioner : MR.SENTHIL MURUGAN C. Advocate

For Respondent : MR.SS.MADHAVAN, Govt. Advocate (Crl. Side)

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

PRAYER:

**FOR ANTICIPATORY BAIL IN CRIME NO.96/2023 ON THE FILE OF THE
RESPONDENT POLICE**

ORDER : The Court Made the following order :-

The petitioner/Rank Not Known, who apprehends arrest at the hands of the



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respondent police for the alleged offence under Sections 379 of IPC, in Crime No.96 of 2023, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the other accused have stolen a goat of the defacto complainant. Thereby, the defacto complainant made a complaint before the Law Enforcing Agency.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that this is the second anticipatory bail petition. Earlier anticipatory bail petition in Crl.OP(MD)No.21809 of 2023 was dismissed by this Court, on 05.12.2023. He further submitted that the stolen goat was recovered. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the State submitted that the petitioner and the other accused have stolen a goat of the defacto complainant. However, he fairly conceded that the stolen goat was recovered from the accused.



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5. Considering the facts and circumstances of the case and also considering the fact that the stolen goat was recovered from the accused, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is granted anticipatory bail and he is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Aruppukottai, Virudhunagar District, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the sureties shall affix his photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank

pass Book to ensure his identity;

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(c) the petitioner shall report before the respondent police daily at 10.30 a.m, for a period of 2 weeks and thereafter, as and required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
12/01/2024

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/01/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS



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TO

- 1 THE JUDICIAL MAGISTRATE,
ARUPPUKOTTAI, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT @ SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
KEELA PARALACHI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.C.SENTHIL MURUGAN, Advocate (SR-726[I] dated 12/01/2024)

ORDER
IN
CRL OP(MD) No.698 of 2024
Date :12/01/2024

PKP/DD/SAR /23.01.2024/ 5P/6 C

Madurai Bench of Madras High Court is issuing certified
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