



CRL OP(MD). No.256 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.02.2024

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.256 of 2024

David Dhas

... Petitioner/ Accused (A2)

Vs

The Inspector of Police,
Arumanai Police Station,
Kanniyakumari District.
(Crime no. 105 of 2023)

... Respondent/Complainant

For Petitioner : Mr. S Jebastin

For Respondent : Mr.R.Sureshkumar

Government Advocate (Crl.Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.105 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 Sections 406 and 420 IPC in Crime No.105 of 2023 on the file of the respondent police, seeks anticipatory bail.



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2. The learned counsel appearing for the petitioner submitted that it is a second anticipatory bail petition and the earlier petition filed by the petitioner was dismissed by this Court on 27.09.2023 in Crl.O.P(MD).No.14898 of 2023 and the petitioner is not having any previous case and seeks anticipatory bail.

3. The learned Government Advocate (Crl. Side) for the respondent police submitted that after dismissal of the earlier petition filed by the petitioner, now, the property has been seized from A4 and handed over to the defacto complainant. He would further submit the petitioner is not having any previous case.

4. Considering the facts and circumstances of the case and also considering the fact that the property has been recovered, this Court is inclined to grant anticipatory bail to the petitioner.

5. 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, Kuzhithurai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two



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sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that 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.

6. 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/-
29/02/2024

/ TRUE COPY /

/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO

- 1 THE JUDICIAL MAGISTRATE NO.I
KUZHITHURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANNIYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE
ARUMANAI POLICE STATION,
KANYAKUMARI DISTRICT.



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

+1 CC to M/s.S.JEBASTIN, Advocate (SR-2575[I] dated 01/03/2024)

ORDER
IN
CRL OP(MD) No.256 of 2024
Date :29/02/2024

SS/GS/SAR- /07/03/2024/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023