



CRL OP(MD) No.389 of 2024

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

Wednesday, the Tenth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.389 of 2024

M KUMAR @ KUMAR THEVAR

... PETITIONER / ACCUSED No.4

Vs

**THE INSPECTOR OF POLICE
PERUMALPURAM POLICE STATION,
TIRUNELVELI CITY.
CRIME NO.672 OF 2023.**

... RESPONDENT / COMPLAINANT

For Petitioner :MR.M.JEGADEESHA PANDIAN, Advocate

For Respondent :MR.P.KOTTAICHAMY, Govt. Advocate (Crl. Side)

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

PRAYER:

**FOR ANTICIPATORY BAIL IN CRIME NO.672 OF 2023 ON THE FILE OF THE
RESPONDENT POLICE.**

ORDER : The Court Made the following order :-

**The petitioner / Accused No.4, who apprehends arrest at the hands of the
respondent police for the alleged offence punishable under Sections 294(b), 406, 418,**



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420 and 506(ii) of I.P.C. in Crime No.672 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner hired ten cars from the defacto complainant and thereafter, the cars were not returned to him. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he is nothing to do with the alleged offence. He would further submit that the petitioner herein did not hire cars from the defacto complainant and Accused No.1 is hired cars from the defacto complainant. He would further submit that the petitioner is only a spectator. Hence, he prays for anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would that ten cars were already recovered from the accused persons. He would further submit that the investigation is also pending

5. Considering the facts and circumstances of the case and also considering the fact that the cars were already recovered from the accused persons, I am 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 learned Judicial



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Magistrate No.I, Tirunelveli 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 their 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 their identity;

(c).the petitioner shall report before the respondent Police for a period of two weeks at 10.30 A.M. and thereafter, as and when 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 petitioners in accordance with

law as if the conditions have been imposed and the petitioners released on bail by
<https://www.mhc.tn.gov.in/judis>



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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/-
10/01/2024

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

TSG
TO

- 1 THE JUDICIAL MAGISTRATE NO.I
TIRUNELVELI.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE
PERUMALPURAM POLICE STATION,
TIRUNELVELI CITY.



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

+1 CC to M/s.V.M.JEGADEESHA PANDIAN, Advocate (SR-519[I] dated
10/01/2024)

ORDER
IN
CRL OP(MD) No.389 of 2024
Date :10/01/2024

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

Madurai Bench of Madras High Court is issuing certified
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