



CRL OP(MD) No.633 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.633 of 2024

SIVASUNDARARAJAN

... Petitioner / Accused Rank not known

Vs

THE INSPECTOR OF POLICE
KOTTAMPATTY POLICE STATION,
MADURAI DISTRICT.

(CRIME NO.NOT KNOWN OF 2024) ... Respondent / Complainant

For Petitioner : M/s.T.A.Ebenezer, Advocate

For Respondent : Mr.P.Kottaichamy,
Government Advocate (Crl. Side)

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

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.NOT KNOWN OF 2024 ON
THE FILE OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police



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for the alleged offence punishable under Sections 420, 406 and 379 IPC in Crime

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No. Not Known of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused stolen the steel pipes, worth about Rs.40 Lakhs. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner herein is working as Supervisor in the defacto complainant's company and the only allegation as against the petitioner is that he failed to supervise the other employees. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that based on the complaint given by the defacto complainant, now, a case is registered in Cr.No.8 of 2024 for the offence punishable under Section 379 IPC and the investigation of this case is at preliminary stage.

5. Considering the facts and circumstances of the case and also considering the fact that there is no serious allegation as against the petitioner, this court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner 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



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of a copy of this order, before the learned Judicial Magistrate, Melur, 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 daily at 10.30 a.m. until further orders;

(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



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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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

/ TRUE COPY /

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

GNS

To

1.The Judicial Magistrate,
Melur.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
Kottampatty Police Station,
Madurai District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to M/s.T.A.EBENEZER, Advocate, SR.No.1473(F), dated 12.01.2024.



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ORDER

IN

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Date :12/01/2024

ED/ JGB /SAR- (24/01/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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