



CRL OP(MD) No.867 of 2024

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

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.867 of 2024

1 JOTHILAKSHMI

2 ALEX PANDIAN ... PETITIONERS / ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI CITY,
CRIME NO.NOT KNOWN OF 2023 ... RESPONDENT/ COMPLAINANT

For Petitioner : MR.SOLAISAMY.M, 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.NOT KNOWN OF 2023 ON
THE FILE OF THE RESPONDENT POLICE

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police
for the alleged offence under Sections 448, 379, 294(b), 420 and 506(i) of IPC in Crime



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No.520 of 2023, seek anticipatory bail.

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2.The case of the prosecution is that the petitioners stolen the vehicle of the defacto complainant, thereby, the respondent police registered the present case against the petitioners.

3.The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. side), on perusal of the entire records, fairly submitted that the alleged stolen car owned by the first petitioner and there was a monetary relationship between the second petitioner and the defacto complainant, the defacto complainant took away the car from the second petitioner and thereafter, the defacto complainant made a complaint before the respondent police against the petitioners.

5.Considering the facts and circumstances of the case and also considering the submission of the learned Government Advocate (Crl. side), this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, this Criminal Original Petition is ordered and the petitioners are ordered to be released on bail in the event of arrest or on their appearance,



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within a period of fifteen days from the date of receipt of a copy of this order, before the learned * **Judicial Magistrate No.I, Tirunelveli**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 petitioners 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 petitioners shall report before the respondent police daily as and when required for interrogation ;

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

(e)the petitioners 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



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with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
19/01/2024

(*)Amended as per order of this Court dated 20.02.2024 in CRL MP(MD)No.1948 of 2024 in CRL OP(MD)No.867 of 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.

SJI

TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DATED 19.01.2024
ALREADY DESPATCHED.

- 1 THE JUDICIAL MAGISTRATE NO.I
TIRUNELVELI.
- 2 THE JUDICIAL MAGISTRATE NO.II
TIRUNELVELI.
- 3 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.



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4 THE INSPECTOR OF POLICE
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI CITY,

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

+1 CC to M/s.M.SOLAISAMY, Advocate (SR-2198[I] dated 21/02/2024)

ORDER

IN

CRL OP(MD) No.867 of 2024

Date :19/01/2024

PKP/JGB/SAR /24.01.2024/ 5P/ 6C
ED/ GS /SAR- (04/03/2024) 5P / 7 C

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