



CRL.O.P.(MD)No.1440 of 2024

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

Monday, the Fifth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL.O.P.(MD)No.1440 of 2024

RAMAR ... PETITIONER/ ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
ERIODU POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO.252 OF 2023.

... RESPONDENT / COMPLAINANT

For Petitioner : Mr.VISHNU J Advocate

For Respondent : Mr.S.MANIKANDAN, Govt. Advocate (Crl. Side)

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

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO.252 OF 2023 ON THE FILE
OF THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/ Accused Rank Not Known, who apprehends arrest at the hands
of the respondent police for the alleged offence under Section 379 of IPC, in Crime
No.252 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the copper wire worth about
<https://www.mhc.tn.gov.in/judis>



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Rs.5,000/- in the agricultural land of the defacto complainant were stolen by the accused persons. 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 the name of the petitioner was not mentioned in the FIR. Further, the petitioner without prejudice to his rights, is ready and willing to deposit a sum of Rs.5,000/- to the credit of Crime Number. Thereafter, the said amount may disburse to the defacto complainant. Hence, he prayed for granting anticipatory bail.

4.The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the stolen property is not yet recovered and the investigation is still pending. Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the value of the property involved in this case, this Court is inclined to grant anticipatory bail to the petitioner.

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 of



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a copy of this order, before the Judicial Magistrate Court, Vedachandoor, Dindigul

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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) as per the undertaking given by the petitioner, the petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the Credit of Crime No.252 of 2023 before the said Court, before executing bond. Upon receipt of such deposit, the Judicial Magistrate Court, Vedachandoor, Dindigul District, shall disburse a sum of Rs.5,000/- directly to the defacto complainant after obtaining proper affidavit from him.

(b)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;

(c) the sureties shall affix his photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity;

(d) the petitioner shall report before the respondent police daily at 10.30 a.m, until further orders;



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

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

(g) 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;

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

sd/-
05/02/2024

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/02/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO
1 THE JUDICIAL MAGISTRATE,
VEDACHANDOR, DINDIGUL DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE
ERIDU POLICE STATION, DINDIGUL DISTRICT.

<https://www.hmc.tn.gov.in/judis>



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

ORDER
IN
CRL OP(MD) No.1440 of 2024
Date :05/02/2024

SA/GS/SAR. /15.02.2024/5P/5C

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