



CRL OP(MD) No.1653 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

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1 SATHEESH KUMAR @ SATHEESH

2 MUTHU @ MUTHUIRAMALINGAM ... PETITIONER / ACCUSED NOS.7 & 8

Vs

THE INSPECTOR OF POLICE
DEVAKOTTAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.
(IN CRIME NO.280 OF 2023)

... RESPONDENT

For Petitioner : MR.B.MICHEAL SEBASTIN 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.280 OF 2023 ON THE FILE OF THE
RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/ A7 & A8, who apprehend arrest at the hands of the respondent

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police for the alleged offence under Section 379 and 353 of IPC and Section 11(1)(d) of Prevention of Cruelty to Animals Act, 1960, in Crime No.280 of 2023, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and other accused were illegally trafficking 7 bulls and 7 cows. Hence, the case.

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. He further submitted that this is the second anticipatory bail petition. Earlier petition filed by the petitioner in Crl.OP(MD) No.22988 of 2023 was dismissed by this Court on 20.12.2023. He further submitted that all the pulls and cows were recovered and A9 was already arrested and released on bail by the Court below. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the State submitted that the investigation is still pending. However, he fairly conceded that all the bulls and cows were recovered from the accused and A9 was already arrested



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and released on bail by the Court below.

5. Considering the facts and circumstances of the case and also considering the facts that all the bulls and cows were recovered from the accused and A9 was already arrested and released on bail, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are granted anticipatory bail and they are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Devakottail, Sivagangai District, 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



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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 at 10.30 a.m until further orders;

(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 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 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,



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TO

- 1 THE JUDICIAL MAGISTRATE,
DEVAKOTTAI, SIVAGANGAI DISTRICT.
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE
DEVAKOTTAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.1653 of 2024

Date :05/02/2024

PKP/JGB/SAR /09.02.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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