



CRL OP(MD) No.2009 of 2024

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

Friday, the Ninth day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2009 of 2024

MANIKANDAN

... Petitioner / Accused Rank not known

Vs

THE INSPECTOR OF POLICE
THANTHONIMALAI POLICE STATION,
KARUR DISTRICT,
(CRIME NO.369/2023)

... Respondent / Complainant

For Petitioner : M/s.S.Manoj Kumar, 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.369/2023 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
for the offence punishable under Section 379 IPC r/w. Sections 406 and 420 of IPC in
Crime No.369 of 2023, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner stolen the vehicle bearing registration No.TN 65 P 5909, which belongs to the defacto complainant. Hence, the present complaint.

3. The learned counsel appearing for the petitioner would submit that that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. There is no specific overt act attributed against the petitioner and the stolen article was recovered. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl.Side) would submit that the stolen vehicle was recovered and no previous case is pending against the petitioner and the co-accused was enlarged on bail by the concerned trial Court. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that the stolen vehicle was recovered, no previous case is pending against the petitioner and the co-accused was enlarged on bail by the concerned trial Court, 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



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Judicial Magistrate No.I, Karur, 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/-
09/02/2024

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

INDU

To

1.The Judicial Magistrate No.I,
Karur.

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

3.The Inspector of Police,
Thanthonimalai Police Station,
Karur District.

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

+1 CC to M/s.S.MANOJ KUMAR, Advocate (SR-1654[I] dated 09/02/2024)



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ORDER

IN

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Date :09/02/2024

ED/ JGB /SAR- (16/02/2024) 5P / 6C

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