



CRL OP(MD) No.2142 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

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

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2142 of 2024

YUVARAJ

... PETITIONERS/ ACCUSED RANK NOS.5

Vs

THE INSPECTOR OF POLICE
DINDIGUL THALUK POLICE STATION,
DINDIGUL DISTRICT.
CRIME NO. 313 OF 2023

... RESPONDENT/COMPLAINANT

For Petitioners : MR.P.MANIKANDAN,
Advocate

For Respondent : MR.S.MANIKANDAN,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER :

FOR ANTICIPATORY BAIL IN CRIME NO. 313 OF 2023 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner / Accused No.5, who apprehends arrest at the hands of the
respondent police for the alleged offence punishable under Section 379 of I.P.C., in

<https://www.mhc.tn.gov.in/jdiib>



CRL OP(MD) No.2142 of 2024

Crime No.313 of 2023, on the file of the respondent Police, seeks anticipatory bail.

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2. The case of the prosecution is that the petitioner and other accused persons stole the metal roofing sheet belonged to the defacto complainant which was worth about Rs.16,000/-. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner did not commit any offence as alleged by the prosecution and hence, he prays for anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the stolen properties have already been recovered from the other accused persons.

5. Considering the facts and circumstances of the case and also considering the fact that the stolen properties have already been recovered from the other accused persons, 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 Judicial Magistrate No.I, Dindigul, 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



CRL OP(MD) No.2142 of 2024

arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

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(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 for a period of two weeks at 10.30 A.M., and thereafter, as and when required for interrogation;

(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 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;



CRL OP(MD) No.2142 of 2024

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

sd/-
12/02/2024

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/02/2024

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

TSG

TO

- 1 THE JUDICIAL MAGISTRATE NO.I, DINDIGUL.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE, DINDIGUL THALUK POLICE STATION,
DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.2142 of 2024

Date :12/02/2024

RS/VR/SAR-(15.02.2024) 4P 5C

Madurai Bench of Madras High Court is issuing
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