



CRL OP(MD) No.2806 of 2024

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

Thursday, the Twenty Second day of February Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.2806 of 2024

1 KARUPPASAMY

2 ALEX

... PETITIONERS/ ACCUSED NO.4&5

Vs

THE INSPECTOR OF POLICE
DEVIPATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.
CRIME NO.57/2024.

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.TAMIZHARASAN.CN 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.57/2024 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioners/A4 & A5, who apprehend arrest at the hands of the



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respondent police for the alleged offence under Sections 379 of IPC in Crime No.57 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is working as an Assistant Manager in South Ganga Desalination Plant at Panaikulam Village. On 15.02.2024, at about 09.30 p.m, the petitioners along with other accused attempted to steal a water motor engine worth about Rs.35,000/-. At that time, the complainant with the help of other two persons nabbed the petitioners and the other accused fled away from the scene of occurrence. In that plant, already two water motors and high quality copper wires were stolen. The worth of the same is Rs.1 lakh. Hence, the defacto complainant lodged a complaint before the Law Enforcing Authority.

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 already main accused were arrested and stolen property was recovered. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the State

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submitted that A1 to A3 were already arrested the stolen property was recovered from the petitioner.

5. Considering the facts and circumstances of the case and also considering the facts that already main accused were arrested, the stolen property was recovered and no serious allegation is made against the petitioner, 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 No.I, Ramanathapuram, 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



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pass Book to ensure their identity;

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(c) the petitioners shall report before the respondent police daily at 10.30 a.m, for a period of 2 weeks and thereafter, as and when required;

(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/-
22/02/2024

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/03/2024

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

DSS

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TO
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1.THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

3.THE INSPECTOR OF POLICE
DEVIPATTINAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.C.N.TAMIZHARASAN, Advocate (SR-2223[I] dated 22/02/2024)

ORDER

IN

CRL OP(MD) No.2806 of 2024

Date :22/02/2024

RK/GS (29/02/2024) 5P / 6C

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