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CRL OP(MD). No.5988 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.5988 of 2024

Chermadurai,

... Petitioner/ Accused Rank Not Known

Vs

State represented by
The Inspector of Police,
Kadayam Police Station,
Tenkasi District.
(In Crime No.79 of 2024).

... Respondent/ Complainant

For Petitioner : Mr.MAHESWARAN R, Advocate

For Respondent : Mr.M.SAKTHI KUMAR,
Government Advocate (Crl.Side)

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

PRAYER :- For Anticipatory Bail in Crime no.79 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.79 of 2024, for the offence punishable under Section 379 IPC, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that due to previous motive, the petitioner has



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stolen the generator from the defacto complainant's company. Hence, the case.

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3. The learned counsel appearing for the petitioner submits that the petitioner was not present in the scene of occurrence. The petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that based on the confession statement of one of the accused, the FIR was registered against the petitioner and others.

5. Considering the facts and circumstances of the case and also considering the submission that the petitioner was not present at the place of occurrence, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of their 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 on condition that

(i) the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Tenkasi.

(ii) The petitioner and the sureties shall submit a copy of their



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Aadhaar Card or any other identity card issued by the government in proof of their residence address;

(iii) The petitioner shall appear before the respondent police at 10.00 am for a period of two weeks for interrogation. He has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
24/04/2024

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/05/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR
TO
1 THE JUDICIAL MAGISTRATE,
TENKASI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.



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3 THE INSPECTOR OF POLICE,
KADAYAM POLICE STATION,
TENKASI DISTRICT.

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

ORDER IN
CRL OP(MD) No.5988 of 2024
Date :24/04/2024

SA/JGB/SAR. /02.05.2024/4P/5C

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