



CRL OP(MD). No.6078 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6078 of 2024

Kohulji,

... Petitioner/Sole Accused

Vs

The State represented by
The Inspector of Police,
S.S Colony Police Station,
Madurai.
Madurai City.
Crime No. 197/2024.

... Respondent/Complainant

For Petitioner : M/s. Robinson.A, 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. 197 of 2024 on the file of the respondent Police.



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ORDER : The Court made the following order :-

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The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.197 of 2024, for the offence punishable under Sections 379 and 406 IPC, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that due to civil dispute, the petitioner has taken away the construction materials from the defacto complainant's property. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the petitioner has not taken away any thing from the defacto complainant's property. 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 the petitioner has sold a temple property to the defacto complainant, on which, the defacto complainant has also started to construct a building. Based on a writ petition filed by the Temple authorities, the document executed by the petitioner was cancelled.



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5. Considering the facts and circumstances of the case, the nature of allegation and the antecedents of the petitioner, 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 execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) each, with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Madurai.

(ii) The petitioner and the sureties shall submit a copy of their 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 daily at 10.00 am for a period of two weeks for interrogation and thereafter, as and when required. He has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to him by



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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/-
22/04/2024

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/04/2024
Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

- 1.THE JUDICIAL MAGISTRATE NO.V, MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.
- 3.THE INSPECTOR OF POLICE,
S.S COLONY POLICE STATION,
MADURAI.
MADURAI CITY.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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WEB COPY +1 CC to M/s.A.ROBINSON, Advocate (SR-4715[I] dated 23/04/2024)

ORDER
IN
CRL OP(MD) No.6078 of 2024
Date :22/04/2024

RK/JGB (29/04/2024) 5P / 6C

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