



CRL OP(MD).No.8871 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.8871 of 2024

1. Alagesan @ Alagesh

2. Vijay @ Vijayakumar

... Petitioners/ A2 & A3

Versus

State rep. by
The Inspector of Police,
Alagappapuram Police Station,
Sivagangai District.
(Crime No.33 of 2024)

... Respondent/Complainant

For Petitioners : Mr.A.Balaji, 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.33 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 petitioners, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.33 of 2024, for the offence punishable under Section 393 IPC, have filed this petition seeking anticipatory bail.

2. The case of the prosecution is that on 10.06.2024 at 13.00 hours, when the respondent police were on their routine patrol duty, they received a secret information. Based on the secret information, they reached the occurrence place i.e., Subway behind Karaikudi Engineering College. On seeing the police, the petitioners and A4 ran away from the scene of occurrence and the respondent police nabbed the A1. The first accused confessed that he and other accused have planned to commit robbery. Hence, the case.

3. The learned counsel appearing for the petitioners submits that they have not planned for committing any offence as alleged by the prosecution. Also, he submitted that the petitioners were standing and talking near the Subway behind Karaikudi Engineering College. The respondent police who were on their patrol duty arrived and enquired them in a high handed manner. The respondent police has arrested A-

1. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that one previous case is pending against the first petitioner. Also, he submitted that the respondent police has arrested second petitioner/ A-3.

5. Considering the nature of offence and also considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the first petitioner. Since the second petitioner/ A-3 has already been arrested, this petition stands dismissed insofar as the second petitioner/ A-3 is concerned.

6. Accordingly, this Criminal Original Petition is partly allowed and the first petitioner is ordered to be released on bail in the event of his 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, Karaikudi, on condition that

(i) the first 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, Karaikudi.

(ii) The first petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in



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proof of their residence address;

(iii) The first petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders. He has to co-operate for the investigation.

(iv) The first 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 first petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
18/06/2024

/ TRUE COPY /

/07/2024

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

jbr

TO

1. THE JUDICIAL MAGISTRATE, KARAIKUDI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI



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3. THE INSPECTOR OF POLICE,
ALAGAPPAPURAM POLICE STATION,
SIVAGANGAI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.8871 of 2024
Date :18/06/2024

RK/GS(03/07/2024) 5P / 5C
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