



CRL OP(MD).No.9026 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27.06.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD).No.9026 of 2024

Kumaresan

... Petitioner/ Accused No.4

Versus

The State Rep. by
The Inspector of Police,
Rayappanpatti Police Station,
Theni.
(Crime No.96 of 2024)

... Respondent/Complainant

For Petitioner : Mr.S.Raja
Advocate

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl. Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.96 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



CRL OP(MD).No.9026 of 2024

connection with a case in Crime No.96 of 2024, for the offence under Sections 453

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and 394 IPC, has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that the accused persons trespassed into the house of the defacto complainant and robbed a sum of Rs.32,000/- and 8 sovereigns of gold chain from the defacto complainant at knife point.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. However, this case has been foisted against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submits that the petitioner and the defacto complainant are neighbours. The petitioner has arranged other accused to commit robbery. He further submits that the jewels have been recovered from the arrested accused persons, namely, A1 and A2. He further submits that the petitioner is not having any previous case and A2 has already been released on bail.

5. Considering the nature of offence and also considering the fact that the



CRL OP(MD).No.9026 of 2024

petitioner is not having any previous case and A2 has already been released on bail, 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 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 on condition that

(i) the petitioner executes 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, Theni.

(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 twice, i.e. morning at 10.30 a.m. and evening at 5.30 p.m. until further orders. He has to co-operate for the investigation.



CRL OP(MD).No.9026 of 2024

WEB COPY

(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/-
27/06/2024

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/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY

TO

- 1 THE JUDICIAL MAGISTRATE,
THENI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THENI.
- 3 THE INSPECTOR OF POLICE
RAYAPPANPATTI POLICE STATION, THENI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.RAJA, Advocate (SR-7026[I] dated 27/06/2024)



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CRL OP(MD).No.9026 of 2024

ORDER
IN
CRL OP(MD) No.9026 of 2024
Date :27/06/2024

SS/JGB/SAR- /05/07/2024/5P/6C

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