



CRL OP(MD). No.9022 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

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1. Lakshmanan,

2. Aladiselvam,

... Petitioners/ Accused No.1 & 4

Vs

The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
(Crime No.80/2024)..

... Respondent/Complainant

Selvi

...Intervener/Defacto Complainant
in Crl MP(MD)No.7014 of 2024

For Petitioners : M/s.Muthuvai Illayaraja.K,
Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

For Intervener : Mr.R.Narayanan, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

<https://www.mhc.tn.gov.in/judis>



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WIPRAYER:-

For Anticipatory Bail in Crime No.80/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners / accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 379(NH), 506(i) IPC and Section 4 of TNPHW Act, Cr.No.80 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners have stolen 120 goats belonging to the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners would submit that would further submit the petitioners are innocent and they have been falsely implicated in this case. He would further submit that the petitioners are ready and willing to deposit a sum of Rs.1,00,000/- before the court Concerned and seeks anticipatory bail.

4.The learned Government Advocate(Crl.Side) would submit that goats are not recovered and the investigation of the case is pending.



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5.Considering the facts and circumstances of the case and also considering the fact that the petitioners are ready and willing to deposit a sum of Rs.1,00,000/-, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners 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, Kamuthi 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 to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the first petitioner is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime No.80 of 2024 before the concerned Court, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgment before the concerned Court while executing sureties. On such deposit, the defacto complainant is permitted to withdraw said amount.



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(b) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall report before the respondent police as and when required for interrogation;

(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;



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(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
22/07/2024

/ TRUE COPY /

/08/2024

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

TRP

TO

1. THE JUDICIAL MAGISTRATE, KAMUTHI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

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

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

ORDER
IN

CRL OP(MD) No.9022 of 2024
Date :22/07/2024

RK/GS (01/08/2024) 5P / 5C

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