



CRL OP(MD). No.9931 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/07/2024

PRESENT

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

CRL OP(MD). No.9931 of 2024

1. Feroz Jona @ John,

2. Vinithkumar,

... Petitioners/ Accused Nos. 1 & 2

Vs

**The Inspector of Police,
Allinagaram Police Station,
Theni District.
Cr.No.50/2024,**

... Respondent/ Complainant

For Petitioner : Mr.Susi Kumar.C,Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 50/2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who apprehend arrest at the hands of the respondent

police for the offence punishable under Section 379 of IPC, in Crime No.50 of 2024,

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



CRL OP(MD). No.9931 of 2024

seek anticipatory bail.

2.The case of the prosecution is that the petitioners said to have taken the defacto complainant' bike due to failing to pay the monthly dues. It is the averment of the petitioner that he kept Rs.1,00,000/-, Passbook and ATM Card in his bike. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution.

4.The learned Government Advocate(Crl.Side) would submit that the property was not recovered and he further submit that the petitioner has no previous case.

5.Considering the facts and circumstances of the case, 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 their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Theni, 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 learned Magistrate concerned and on further conditions that:

(a) 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

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



CRL OP(MD). No.9931 of 2024

card or Bank pass Book to ensure their identity;

(b)the petitioners shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners shall not abscond either during investigation or trial;

(e)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;

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

sd/-
05/07/2024

/ TRUE COPY /

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



CRL OP(MD). No.9931 of 2024

RMK
TO COPY

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

+1 CC to M/s.C.SUSIKUMAR, Advocate (SR-7551[I] dated 05/07/2024)

ORDER
IN
CRL OP(MD) No.9931 of 2024
Date :05/07/2024

PKP/GS/SAR /19.07.2024/ 4P/6C
Madurai Bench of Madras High Court is issuing certified
copies in this format from 17/07/2023