



CRL OP(MD). No.10795 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/07/2024

PRESENT

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

CRL OP(MD). No.10795 of 2024

Sivakumar

... Petitioner/ Accused Rank not known

Vs

The Inspector of Police,
Nagamalai Pudhukottai Police Station,
Madurai.
(Crime No. 373/2023.)

... Respondent/Complainant

For Petitioner : Mr.S.Kumaravel, Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate (crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of B.N.S.S

PRAYER :-

For Anticipatory Bail in Crime No.373 of 2023 on the file of the Respondent police.



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ORDER: The Court made the following order :-

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The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420, 379, 506(i) IPC in Crime No.373 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is doing tender work for laying of drinking water pipe line, in which, one Selvaraj is one of the Sub-Contractor. Since there is a mis-management in the said contract work, a complaint has been lodged and the said Selvaraj has been arrayed as accused. Since the petitioner is working as the personal driver of the said Selvaraj, he was roped into the case.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. Hence, he prayed anticipatory bail to the petitioner.

4.The learned Government Advocate (criminal side) appearing for the respondent police has strongly opposed this petition, however, he would further submit that in this case, co-accused have already been released on bail.

5. Considering the facts and circumstances of the case and also considering the fact that the co-accused have already been released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.VI, Madurai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 petitioner 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 petitioner shall report before the respondent police daily at 10.00 a.m for a period of four weeks.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme



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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/-
23/07/2024

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

SKN

To

1.The Judicial Magistrate No.VI,
Madurai.

2.Do through the Chief Judicial Magistrate,
Madurai District.

3.The Inspector of Police,
Nagamalai Pudhukuottai Police Station,
Madurai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.THAMBURAJA, Advocate (SR-8435[I] dated 24/07/2024)

ORDER
IN

CRL OP(MD) No.10795 of 2024
Date :23/07/2024



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ED/ VR /SAR- (31/07/2024) 5P / 6C

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