



CRL OP(MD). No.12263 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 31/07/2024

PRESENT

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

CRL OP(MD). No.12263 of 2024

Yovel,

... Petitioner/ Accused rank not known

Vs

The Inspector of Police,
Thirupparangundram Police Station,
Madurai City.
Crime No.311 of 2024..

... Respondent/Complainant

For Petitioner : Mr.Vijayakumar S,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No.311/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent



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police for the offences punishable under Sections 380, 506(i) IPC and u/s. 3(1) of TN Public Property (Prevention of Damage and Loss) Act, 1992, in Cr.No.311 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner herein has damaged the JCB belonging to the defacto complainant and also stolen jewels and money from the house. Hence, the complaint.

3. The learned counsel for the petitioner would submit that due to enmity, a false case foisted against the petitioner and the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate(Crl.Side) would submit that co-accused already released on bail and the investigation of the case is pending.

5.Considering the facts and circumstances of the case and also considering the fact that co-accused has 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.V1, 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;

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

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

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



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(e) 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 Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

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

sd/-
31/07/2024

/ TRUE COPY /

/08/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1 THE JUDICIAL MAGISTRATE NO.VI
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.



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3 THE INSPECTOR OF POLICE
THIRUPPARANGUNDRAM POLICE STATION,
MADURAI CITY.

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

+1 CC to M/s.S.VIJAYAKUMAR, Advocate (SR-9151[I] dated 01/08/2024)

ORDER
IN
CRL OP(MD) No.12263 of 2024
Date :31/07/2024

SS/VR/SAR- /20/08/2024/5P/6C

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