



CRL OP(MD). No.13154 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13154 of 2024

1. K.Parithu
2. S.Habibrahman

... Petitioner/ Accused No.1 & 2

Vs

The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
Crime No.194/2024

... Respondent/Complainant

For Petitioners : M/s.A.Jainul Abudheen, Advocate
For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.194/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/ Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 303(2) BNS, in Crime No.194 of 2024, seek anticipatory bail.



CRL OP(MD). No.13154 of 2024

WEB COPY

2.The case of the prosecution is that the accused have stolen the defacto complainant's cow. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.Considering the nature of allegation that the petitioners were alleged to have been involved in theft of a cow and also considering the argument of the learned Counsel for the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5.Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of 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, Devakottai, Sivagangai District, 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 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;



CRL OP(MD). No.13154 of 2024

WEB COPY

(b)the petitioners shall report before the respondent police daily at 10.30 am for a period of two weeks;

(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 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

(g)the petitioners are directed to deposit a sum of Rs.2000 (each) to the credit of the Crime No.194/2024 as their undertaking without prejudice to their rights, before the trial Court.

sd/-
30/08/2024

/ TRUE COPY /

/09/2024

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



CRL OP(MD). No.13154 of 2024

TO

WEB COPY

1 THE JUDICIAL MAGISTRATE, DEVAKOTTAI, SIVAGANGAI DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE, DEVAKOTTAI TALUK POLICE STATION,
SIVAGANGAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.13154 of 2024

Date :30/08/2024

RS/VR/SAR-(12.09.2024) 4P 5C

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