



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17409 of 2024

1. Sundar @ Soma Sundar,

2. Sundar,

3. Pavithra,

4. Ranjani,

5. Rasathi,

6. Pechiyammal,

... Petitioners/ Accused Nos.5, 6 & 8 to 11

Vs

The State of Tamilnadu,
The Sub Inspector of Police,
Koomapatty Police Station,
Virudhunagar District.
(Crime No. 65 of 2024).

... Respondent/Complainant

For Petitioners : M/s.A.Balaji,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)



PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-31AB. For Anticipatory Bail in Crime No.65 of 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 147, 148, 427, 448, 454, 380 and 506 (2) IPC in Crime No.65 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein have trespassed into the house of the defacto complainant and stolen away 6 sovereigns of gold jewels. Hence, the case.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

4. Considering the nature of allegations that there is previous enmity between

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the defacto complainant as well as the petitioners' family and considering the fact that earlier defacto complainant's son is said to have involved in the case of murder of brother of the first accused all the family members have since been included in this complaint and considering the fact that except the 6th accused, all the other accused do not have any other antecedents, I am inclined to enlarge the petitioners on anticipatory bail.

5. Accordingly, the petitioners are ordered to be released on bail in the event of their 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 Additional District Munsif Cum Judicial Magistrate, Watrap, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two common 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;

(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/-

16/10/2024

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. The Additional District Munsif Cum Judicial Magistrate,
Watrap,
2. Do-Through The Chief Judicial Magistrate,
Viruthunagar District.



3. The State of Tamilnadu,
The Sub Inspector of Police,
Koomapatty Police Station,
Virudhunagar District.

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

+1 CC to M/s.A.BALAJI, Advocate (SR-12479[I] dated 16/10/2024)

CRL OP(MD) No.17409 of 2024
Date :16/10/2024

KVL/15.11.2024 5P/6C

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