



WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 22/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17931 of 2024

Sudharsan

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Vadamadurai Police Station,
Dindigul District
Crime No.448/2024.

... Respondent/Complainant

For Petitioner : Mr.M.Iniyavan,
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.448 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406 and 379 of IPC, in Crime



2.The case of the prosecution is that the petitioner and other accused are said to have cheated the defacto complainant by shifting the consignment of Garlic to another place without his knowledge.

3.Heard. Perused the materials available on record including the First Information Report.

4.The allegations against the petitioner are that the petitioner is said to have taken away the load of Garlic belonging to the defacto complainant. The case of the defacto complainant is that in the guise of selling it for a good price, the petitioner enticed the defacto complainant to come with the load of the Garlic and after taking rest in the night, when they saw in the morning, the vehicle with the load had vanished and hence the complaint. Only considering the fact that the said occurrence is said to have happened on 19.06.2024 and the complaint was lodged on 02.10.2024, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions:

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Vedasanthur, Dindigul District, 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 the police officer who intends to arrest or to

the satisfaction of the learned Magistrate concerned, failing which, the petition for



anticipatory bail shall stand dismissed and on further condition 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 a.m., 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.

[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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
22/10/2024

/ TRUE COPY /

/11/2024

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



TO

1 THE JUDICIAL MAGISTRATE,
VEDASANTHUR, DINDIGUL.

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL DISTRICT.

3 THE INSPECTOR OF POLICE,

VADAMADURAI POLICE STATION, DINDIGUL DISTRICT'

4 THE ADDITIONAL PUBLIC PROSECUTOR,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.17931 of 2024

Date :22/10/2024

MGJ/SN(14.11.2024) 4P 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023