



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19114 of 2024

1.Karuppaiah
2.Banumathi

... Petitioners/ Accused 1 & 2

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Kodaikanal Police Station,
Dindigul District.
(Crime No.398 of 2024)

... Respondent/Complainant

For Petitioners: M/s.G.Silambarasan,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No.398/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police



for the alleged offences under Sections 303(2) of the BNS, in Crime No.398 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that A2 was working in the house of the defacto complainant as a servant 10 years back. It is alleged that A2 had the key for the house and she was working in the nearby house as a servant. Some materials were found missing and therefore it is alleged that it is only the petitioners who had stolen the house articles. Hence, the case.

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

4. In the considered view of this Court, the complaint itself has been given only based on suspicion and considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court-II, Kodaikanal, Dindigul, on condition that the petitioners 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 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 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 petitioner 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].

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

sd/-
06/11/2024

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



1 THE JUDICIAL MAGISTRATE
COURT II, KODAIKANAL, DINDIGUL.

2 THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.

3 THE INSPECTOR OF POLICE,
KODAIKANAL POLICE STATION,
DINDIGUL DISTRICT.

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

+1 CC to M/s.G.SILAMBARASAN, Advocate (SR-13662[I] dated 06/11/2024)
CRL OP(MD) No.19114 of 2024
Date :06/11/2024

BV (14/11/2024) 4P/ 6C

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