



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.19124 of 2024

Prince Babu

... Petitioner / Sole Accused

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Asaripallam Police Station,
Kanyakumari District.
(Crime No.52 of 2024)

... Respondent/Complainant

For Petitioners: M/s.Raamakrishnan.KA,
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.52/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Section 379 of IPC, in Crime No.52 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had taken the



mini bus on lease and had parked the vehicle in the front of his house and on 24.04.2024, the said bus was found missing and on verification, it was found that the petitioner had stolen the vehicle.

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

4. The learned counsel for the petitioner submitted that the bus was given on lease to the petitioner from the year 2018 onwards. Thereafter, the owner of the bus offered to sell the said mini bus to the petitioner and the sale consideration was also paid by the petitioner. After receipt of the same, the owner of the bus did not take any steps to convey the mini bus in favour of the petitioner by executing the necessary documents. Hence, there was some dispute in this regard. In order to get over the same, a false case been foisted against the petitioner.

5. The learned Government Advocate (Criminal Side), on instructions, submitted that the petitioner had taken the mini bus on lease for the period from 2018 to 2022. Thereafter, the mini bus was given on lease to the defacto complainant. The petitioner had stolen the bus from the defacto complainant.

6. Taking into consideration the facts and circumstances of the case and also the dispute involved in this case regarding the ownership over the mini bus, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in



the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate-I, Nagercoil, Kanyakumari 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 said Magistrate, 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 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]; and;



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

sd/-
06/11/2024

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/ /2024

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

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TO

1 THE JUDICIAL MAGISTRATE
NAGERCOIL, KANYAKUMARI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI AT NAGERCOIL.

3 THE INSPECTOR OF POLICE,
ASARIPALLAM POLICE STATION, KANYAKUMARI
DISTRICT.

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

+1 CC to M/s.KA.RAAMARKRISHNAN, Advocate (SR-13728[I] dated
08/11/2024)

CRL OP(MD) No.19124 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.