



CRL OP(MD). No.20059 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Marimuthu
2.Petchimuthu

... Petitioners/ Accused Rank Not Known

Vs

The Inspector of Police,
Thoothukudi South Police Station,
Thoothukudi District.
(Crime No.573 of 2024)

... Respondent/Complainant

For Petitioners : Mr.S.Sailendra Babu, 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.573/2024 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 331(1), 331(3) and 305 of BNS, 2023, in Crime No.573 of 2024 on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that the defacto complainant is working as a Joint Manager (H.R.) in a private company. The said company is involved in the business of manufacturing light soda ash. 50 tons of light soda ash went missing from the godown. There are totally 10 accused persons in this case and the petitioners have been arrayed as A2 and A1 respectively.

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

4. It was brought to the notice of this Court that one of the accused persons was granted anticipatory bail by this Court in Crl.OP(MD).No.18286 of 2024 by order dated 30.10.2024. That apart, 3 of the other accused persons were arrested and later enlarged on bail by the Principal Sessions Court, Thoothukudi. It is also brought to the notice of this Court that the entire stolen property has been recovered.

5. Taking into consideration the facts and circumstances of the case and the fact that some of the accused persons have already been granted bail and the entire stolen property has been recovered and there are no previous cases against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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



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the order copy made ready, before the learned Judicial Magistrate Court No.I, Thoothukudi, 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 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 a.m. for a period of 3 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 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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 269 of BNS, 2023. IPC.

sd/-

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/11/2024

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

pal

TO

1 THE JUDICIAL MAGISTRATE NO.I, THOOTHUKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE, THOOTHUKUDI SOUTH POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.S.SAILENDRA BABU, Advocate (SR-14245[I] dated 19/11/2024)

ORDER IN

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Date :19/11/2024

RS//SAR-(23.11.2024) 4P 6C

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