



CRL OP(MD) No.23004 of 2023

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

Friday, the Fifth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.23004 of 2023

PITCHAI

... PETITIONER/ACCUSED 6

Vs

THE INSPECTOR OF POLICE  
THEPPAKULAM POLICE STATION,  
MADURAI CITY.  
CRIME NO.581/2023.

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.C.SENTHIL MURUGAN Advocate

For Respondent : Mr.SS.MADHAVAN, Govt. Advocate ( Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

PRAYER:- FOR ANTICIPATORY BAIL IN CRIME NO.581/2023 ON THE FILE OF  
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner/A6, who apprehends arrest at the hands of the respondent  
police for the alleged offence under Section 399 of IPC in Crime No.581 of 2023, seeks  
anticipatory bail.



CRL OP(MD) No.23004 of 2023

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2.The case of the prosecution is that on 12.12.2023, at about 06.00 p.m, the respondent police was in routine surveillance near Vaigai river bed behind Thiagarajar College, they found the petitioner along with other accused have possessed the deadly weapons and conspired to commit a robbery. On seeing the police party, they fled away from the scene of occurrence. The respondent police chased the accused and arrested A1 to A3. Hence, the Law Enforcing Authority, registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that no previous case is pending against the petitioner. On assumption only, false case has been foisted against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the State submitted that the petitioner along with other accused were found in possession of deadly weapons and conspired to commit a robbery. However, he fairly conceded that no previous case is pending against the petitioner.

5. Considering the facts and circumstances of the case and also considering the fact that no antecedent is reported against the petitioner, I am inclined to grant anticipatory bail to the petitioner.



**CRL OP(MD) No.23004 of 2023**

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6. Accordingly, the petitioner is granted anticipatory bail and he 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 of receipt of a copy of this order, before the learned Judicial Magistrate No.I, Madurai, 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 and on further condition that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the sureties shall affix his photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure his identity;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;



CRL OP(MD) No.23004 of 2023

(f) 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;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
05/01/2024

/ TRUE COPY /

/01/2024  
Sub-Assistant Registrar  
( C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

DSS  
TO

1 THE JUDICIAL MAGISTRATE NO.I,  
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL  
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE  
THEPPAKULAM POLICE STATION,  
MADURAI CITY.

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



**CRL OP(MD) No.23004 of 2023**

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+1 CC to M/s.C.SENTHIL MURUGAN, Advocate ( SR-233[I] dated 05/01/2024 )

ORDER  
IN  
CRL OP(MD) No.23004 of 2023  
Date :05/01/2024

SA/JGB/SAR. /09.01.2024/5P/C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.