



CRL OP(MD) No.23000 of 2023

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

Tuesday, the Ninth day of January Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI
CRL OP(MD) No.23000 of 2023

BALAMURUGAN

... PETITIONER/ ACCUSED RANK NOT KNOWN

Vs

THE INSPECTOR OF POLICE
TENKASI RAILWAY POLICE STATION,
TENKASI DISTRICT. (TRICHY RAILWAYS).
(IN CRIME NO.23/2023).

... RESPONDENT/COMPLAINANT

For Petitioner : MR.R.BALAMURUGANANTHAM, Advocate
For Respondent : MR.SS.MADHAVAN, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 438 OF CR.P.C.

PRAYER : FOR ANTICIPATORY BAIL IN CRIME NO.23/2023 ON THE FILE OF
THE RESPONDENT POLICE.

ORDER : The Court Made the following order :-

The petitioner / Accused, who apprehends arrest at the hands of the
respondent police for the alleged offence punishable under Section 379 of I.P.C., in
Crime No.23 of 2023, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the accused snatched the defacto
complainant's cell phone and purse while travelling in the Train. Hence the
complaint.

3. The learned counsel appearing for the petitioner would submit that the

<https://www.mhc.tn.gov.in/judis>



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petitioner is an innocent person and he has been falsely implicated in this case and accordingly, he prays for anticipatory bail.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that previous cases are pending against the petitioner, however, the property was recovered from the accused herein.

5. Considering the facts and circumstances of the case and also considering the fact that the property was recovered from the petitioner herein, I am inclined to grant anticipatory bail to the petitioner.

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, Tenkasi, Tenkasi 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 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;



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(b)the sureties shall affix their 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 their 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;

(f)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners 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]; and;

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

sd/-
09/01/2024

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



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TO

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1 THE JUDICIAL MAGISTRATE, TENKASI, TENKASI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, TENKASI RAILWAY POLICE STATION,
TENKASI DISTRICT. (TRICHY RAILWAYS).

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

+1 CC to M/s.R.BALAMURUGANANTHAM, Advocate (SR-390[I] dated
09/01/2024)

ORDER

IN

CRL OP(MD) No.23000 of 2023

Date :09/01/2024

RS/JGB/SAR-(12.01.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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