



CRL OP(MD). No.23014 of 2024

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

Date : 27/12/2024

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

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Alex @ Dharunraj,

... Petitioner/ Accused Rank not Known

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.
(Crime No.407 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.K.M.Karunakaran,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.407/2024 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



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for the offences punishable under Section 305(a) of BNS, 2023 in Crime No.407 of 2024 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that the de-facto complainant has given a complaint before the respondent police stating that he is running a company at Pattukottai in the name and style of Murugan Oil Mills. On 19.12.2024, the de-facto complainant had placed the ten bags of coconuts in his mill to dry, and those coconuts are said to have missing on the next day. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person, and is no way connected with the alleged occurrence. He has been implicated in this case, only based on the confession of the co-accused.

4. The learned Government Advocate (Crl. Side) would submit that A1 to A3 were arrested and are still in custody, and the properties were recovered from them. There are no previous cases as against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

5. Heard both sides, and perused the materials available on record.

6. Considering the representations made by the learned counsel on either side, and considering the nature of offences charged against the petitioner, and considering the fact that there are no previous cases as against the petitioner, and considering the fact that already the co-accused were arrested and the properties



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were also recovered, and also considering the fact that this petitioner has been implicated in this case, only based on the confession statement given by the co-accused, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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 learned Judicial Magistrate, Pattukottai.

[b] the petitioner shall report before the respondent police daily at 10.00 A.M. for a period of thirty days and thereafter, as and when required for the interrogation.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].



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

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Section 269 B.N.S.

sd/-
27/12/2024

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/ 01 / 2025

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

CM/MKN

TO

1 THE JUDICIAL MAGISTRATE
PATTUKOTTAI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE,
PATTUKOTTAI TALUK POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.K.M.KARUNAKARAN, Advocate (SR-15927[I] dated 27/12/2024)



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ORDER
IN
CRL OP(MD) No.23014 of 2024
Date :27/12/2024

PSP/ SKN /SAR /02.01.2025/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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