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CrI.O.P.No.10427 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 10427 of 2025

1.Sathiyathan

2.Jeeva

Petitioner(s)

Vs

The State Represented by,
The Inspector Of Police,
Karimangalam Police Station,
Dharmapuri District.
(Crime No.369 of 2024)

Respondent(s)

For Petitioner(s): Mr.C.Deepak Kumar

For Respondent(s): Mr.S.Balaji,
Government Advocate (Criminal Side)

PRAYER To enlarge the petitioners on anticipatory bail in the event of their arrest by the Respondent in Crime No.369 of 2024 on the file of the Respondent.

ORDER

The petitioners, who apprehends arrest at the hands of the respondent for the offences punishable under Section 303 of IPC in Crime No.369 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 accused had illegally stolen

700 liters of diesel from the fuel tanks of five lorries, worth about Rs.56,000/-.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent; that they have been falsely implicated in this case based on the confession statement recorded from the co-accused and prayed for anticipatory bail for the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioners, reiterated the prosecution case and on instructions submitted that the stolen property was seized and that there is a previous case against the petitioner and he is on bail in that case.

5. Heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) appearing for the respondent police and perused the materials available on record.

6. Taking note of the facts and circumstances of the case, nature of allegations, submissions made by the learned counsel on either side, the fact that the stolen property has been seized, the petitioner is on bail in other case and since, custodial interrogation is not required for the purpose of



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investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate Court, Kariamangalam** on condition that the petitioners shall execute a separate 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, until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[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 petitioners 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]*.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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To

1. The Inspector Of Police,
Karimangalam Police Station,
Dharmapuri District.

2. The Public Prosecutor,
High Court, Madras.

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