



CRL OP(MD). No.493 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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1. Viji Alais M.Vijayendran,
S/o. Mathiyalagan,
No.4, Thaneerthotti
Theru, Usilampatti Taluk, Valanthur,
Madurai District..

2. P.Surendiran,
S/o. Palraj,
No.4/15, Post Office
Street, Valanthur, Madurai District..

... Petitioners/ Accused

Vs

The Inspector of Police,
Valandur Police Station,
Madurai District.
(Crime No.148 of 2024).

... Respondent/Complainant

For Petitioners : Mr.P.Balan,
Advocate.

For Respondent : Mr.B.Thanga Aravind,
Government Advocate (Crl.Side)



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WEB COPY PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.148 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners / Accused, who apprehend arrest at the hands of the respondent Police for offences under Section 303(2) of BNS in Crime No.148 of 2024 on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that a two-wheeler that was parked in the police station is said to have been stolen by the accused persons. There are totally five accused persons in this case and the petitioners have been arrayed as Accused Nos.4 and 5. Accused Nos.1 to 3 were arrested and the two-wheeler was seized from them. These petitioners were arrayed as accused based on the confession of co-accused.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondent Police.



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4. Taking into consideration the facts and circumstances of the case and considering the fact that the petitioners were made as accused based on the confession of co-accused and taking note of the fact that there is one previous case against Accused No.4 and four previous cases against Accused No.5, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

5. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Usilampatti, Madurai District on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent police every Monday and Friday at 10.30 a.m. for a period of four weeks and thereafter, as and when required for interrogation;



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[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 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]*; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
22/01/2025

/ TRUE COPY /

/01/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1 THE JUDICIAL MAGISTRATE NO.II
USILAMPATTI, MADURAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.



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3 THE INSPECTOR OF POLICE,
VALANDUR POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.P.BALAN, Advocate (SR-681[I] dated 23/01/2025)

ORDER
IN
CRL OP(MD) No.493 of 2025
Date :22/01/2025

SS/SKN/SAR- /30/01/2025/ 5P/6C

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