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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

[Criminal Jurisdiction]

Date : 31.01.2025

PRESENT

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.2031 of 2025

Thirupathi

... Petitioner/ Accused
(Rank Not Known)

Vs

The State of Tamil Nadu
Rep. by the Inspector of Police,
Alanganallur Police Station,
Madurai District.
(Crime No.5 of 2025)

... Respondent/Complainant

For Petitioner : Mr.S.Mahendrapathy,
Advocate

For Respondent : Mr.A.Albert James,
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS.

PRAYER :-

For Anticipatory Bail in Crime No.5 of 2025 on the file of the respondent police.



ORDER: The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 305(C) of BNS, 2023, in Crime No.5 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons are said to have entered into the Sugar Mill of the de facto complainant and taken away copper bearings, copper bushes, and 7.5 HP compressor motor, which were worth about Rs. 2,15,000/-. The entire incident was captured through CCTV footage. There are 5 accused persons in this case. The petitioner has been arrayed as A4. He has been made an accused based on the confession of A1. A1 and A2 were arrested in this case. It is brought to the notice of this Court that only a sum of Rs. 10,000/- has been recovered till date.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and considering the manner in which the entire incident has taken place, which is said to have been captured through CCTV footage, and also considering the fact that the petitioner has been arrayed as an accused only based on the confession of A1 and there are no previous cases against the petitioner, this Court is inclined to grant



anticipatory bail to the petitioner with certain conditions.

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5. Accordingly, the petitioner 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 on which the order copy made ready, before the learned Judicial Magistrate, Vadippatti, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner 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 petitioner shall report before the respondent police, on every Monday and Friday, at 10.30 a.m., for a period of 4 weeks and thereafter, as and when required for interrogation.

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

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

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial



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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].

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

sd/-
31/01/2025

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/02/2025

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

JEN
TO

1 THE JUDICIAL MAGISTRATE,
VADIPPATTI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

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

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



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ORDER

IN

CRL OP(MD) No.2031 of 2025

Date :31/01/2025

NBF / SAR- (13/02/2025) 5P/5C

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