



CRL OP(MD). No.2458 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/02/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

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Alexpandi,
S/o.Pandi,
West Street, Kunnur Village,
Andipatti Taluk,
Theni District.

... Petitioner/ Accused Rank not known

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Gandamanur Vilakku Police Station,
Theni District.
Crime No.54 of 2023.

... Respondent/ Complainant

For Petitioner : Mr.D.Rajaboopathy,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

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



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PRAYER :-

For Anticipatory Bail in Crime No.54 of 2023 on the file of the Respondent-Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioner on 05.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 380 and 457 of the Indian Penal Code, 1860 (Act 45 of 1860) in Crime No.54 of 2023 on the file of the respondent police

3. The case of the prosecution is that on 11.03.2023, at about 08.00 P.M., the petitioner committed a robbery involving a hydrolic pump, 7 ½ HP Motor, Plant Gear Box worth about Rs.1,72,000/- in the defacto complainant's company. Hence, the complaint.

4. Mr.D.Rajaboopathy, learned counsel appearing for the petitioner, submits that the petitioner has nothing to do with the alleged offence. He further submits that the petitioner has been falsely implicated in this case. He further submits that he is



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ready to abide by any conditions to be imposed by this Court. Therefore, he prays for granting pre-arrest bail to the petitioner.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Criminal Side) appearing for the respondent-Police, submits that there is no previous case pending against the petitioner. He vehemently opposes the grant of pre-arrest bail to the petitioner.

6. The petitioner has permanent residence and deep roots in the society and hence, there is less possibility of absconding. With a view to give one more opportunity to the petitioner to reform himself in the society and considering the fact that the petitioner is the first offender and taking note of the fact that custodial interrogation may not be necessary in this case, this Court is inclined to grant an order of pre-arrest bail to the petitioner subject to the following conditions:

(i) The petitioner shall be released on bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate, Andipatti, Theni District, within a period of fifteen days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five



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Thousand only) along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Judicial Magistrate, Andipatti, Theni District;

(ii) Thereafter, the petitioner shall appear and sign before the respondent Police daily at 10.00 a.m., until further orders;

(iii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019]'. The learned Judicial Magistrate, Andipatti, Theni District, shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioner shall furnish his residential address and mobile number to the learned learned Judicial Magistrate, Andipatti, Theni District;

(v) The petitioner shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence; and

(vi) On breach of any of the aforementioned conditions, the learned Judicial Magistrate, Andipatti, Theni District or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon-ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].



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7. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

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

TSG

TO

1.THE JUDICIAL MAGISTRATE, ANDIPATTI, THENI DISTRICT,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3.THE INSPECTOR OF POLICE,
GANDAMANUR VILAKKU POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.D.RAJABOOPATHY, Advocate (SR-1569[I] dated 12/02/2025)

ORDER
IN

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Date :07/02/2025

RK/SKN/ SAR-2 (19/02/2025) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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