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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.05.2025

PRESENT

The HONOURABLE MR. JUSTICE M.JOTHIRAMAN

CRL OP(MD)No.8497 of 2025

Nagaraj

... Petitioner

Vs

The State of Tamil Nadu,
Represented by
The Inspector of Police,
Kabisthalam Police Station,
Thanjavur District.
Crime No.5 of 2025

... Respondent

For Petitioner : Mr.A.S.Vaigunth

For Respondent : Mr.B.Thanga Aravindh

Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

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

ORDER : The Court made the following order :-

The petitioner/Accused No.7, who apprehends arrest at the hands of the



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respondent police for the offences punishable under section 303(2) of the Bharatiya Nyaya Sanhita, 2023 in Crime No.5 of 2025 on the file of the respondent police, seeks anticipatory bail.

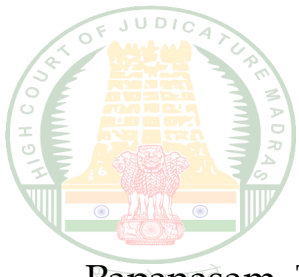
2. The case of the prosecution is that totally there are eight accused in this case. On 05.01.2025, the de facto complainant lodged a complaint before the respondent police that 13 water pipelines worth about Rs.6,00,000/- were found missing. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submits that the accused Nos.2 to 6 were arrested and there is no previous case pending against the petitioner.

5. Considering the facts and circumstances of the case that there is no previous case pending against the petitioner, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6. Accordingly, the petitioner is ordered to be released on anticipatory 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,



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Papanasam, Thanjavur District, 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 daily at 10.30 a.m until further orders.

[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 Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioners 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.

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Sd/-

08/05/2025

// True Copy //

/ /2025

Sub Assistant Registrar
(CS - I/II/III/IV)

Madurai Bench of Madras High Court,
Madurai

BTR

TO

1.The Judicial Magistrate,
Papanasam,
Thanjavur District.

2.Do Through
The Chief Judicial Magistrate,
Dindigul.

3.The State of Tamil Nadu,
The Inspector of Police,
Kabisthalam Police Station,
Thanjavur District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN

CRL OP(MD) No.8497 of 2025

Date : 08.05.2025

BV(26/05/2025) 4P/ 5C

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