



CRL OP(MD). No.9395 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 07/05/2026

CORAM

THE HONOURABLE MRS. JUSTICE S.SRIMATHY

CRL OP(MD). No.9395 of 2026

1. M.Suresh Kumar
2. K.Albert

... Petitioners

Vs

State of Tamilnadu Rep by
Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
(Crime No. 139/2026).

... Respondent

PRAYER :-

For Anticipatory Bail in Crime No. 139/2026 on the file of the respondent Police.

For Petitioners : Mr. K.Ramanathan,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 331(4) and 305(a) of BNS, 2023 Corresponding offences u/s. 457 and 380 IPC in

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Crime No.139 of 2026 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners herein is said to have entered into the Hardware shop of the defacto complainant and stolen the materials. Hence, the complaint.

3. The learned Additional Public Prosecutor submits that there is no previous case pending against the petitioners.

4. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent police.

5. Considering the facts and circumstances of the case and also considering the fact that there is no previous case pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, subject to certain conditions.



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6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, 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 learned Judicial Magistrate, Devakottai, Sivagangai District within a period of fifteen days from the date on which the order copy is made ready and on further conditions 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 Aadhaar card or bank pass book to ensure their identity;

[b] the petitioners shall appear before the respondent Police daily at 10.00 am for a period of one week and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with the



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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 petitioners are 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.

07.05.2026

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1. Judicial Magistrate, Devakottai, Sivagangai District
2. Inspector of Police, Devakottai Taluk Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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S.SRIMATHY,J

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ORDER
IN
CRL OP(MD) No.9395 of 2026

Date : 07/05/2026