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Crl.O.P.No.31330 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2024

CORAM

THE HON'BLE MR. JUSTICE **P.DHANABAL**

Crl.O.P.No.31330 of 2024

Nagaraj

... Petitioner

Vs.

State Represented by,
The Inspector of Police,
Kottapatti Police Station,
Dharmapuri District.
Crime No.114 of 2024.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of BNSS,
pleaded to enlarge the petitioner on bail on anticipatory bail in Crime No.114
of 2024 on the file of the respondent police.

For Petitioner : Mr.J.Pradeep

For Respondent : Mr.S.Balaji
Government Advocate (Crl.Side)

ORDER

The petitioner / Accused who apprehend arrest at the hands of the
respondent police for the offences punishable under Section 132 of BNS,

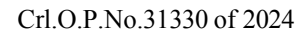


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2023, in connection with the Cr. No.114 of 2024, seek anticipatory bail.

2. The allegation against the petitioner is that, when the respondent police went to arrest this accused for the offence under Section 4(1)(g), 4(1)(a) r/w Section 4(1-A) of TNP Act in Crime No.114 of 2024, the petitioners 2 to 4 threatened to commit suicide, thereby preventing the respondent from arresting this petitioner. Hence, the case.

3. Learned counsel for the petitioner submitted that this is the second anticipatory bail petition filed by the petitioner. He further submitted that the petitioner is an innocent person and he has been falsely implicated by the respondent police and he is in no way connected with the offence as alleged by the prosecution. He further submitted that the co-accused were granted anticipatory bail by this Court in Crl.OP.No.28064 of 2024 dated 11.11.2024. He further submitted that the petitioner is ready and willing to furnish substantial sureties for his due release and to abide by any conditions that may be imposed by this Court and therefore, he prayed to grant anticipatory bail to the petitioner.



5. Heard both sides and perused the materials available on record.

7. Accordingly, the petitioner is ordered to be released on bail in



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the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Harur**, 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police, **daily at 10.30 a.m. until further orders.**

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[c] the petitioner shall not leave India without the previous permission of the Court;

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



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[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 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 abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

16.12.2024

drl

To

1. The Inspector of Police,
Kottapatti Police Station,
Dharmapuri District.
2. The Public Prosecutor,
High Court, Madras.



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P.DHANABAL, J.

drl

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