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Crl.O.P.No.31450 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31450 of 2024

ARUMUGAM

S/o.Gopal, No.165, Periya Street,
Ramakrishnapuram, Thiruvannamalai District.

Petitioner(s)

Vs

State, Rep. By, The Inspector Of Police,
Moranam Police Station, Thiruvannamalai District.
Crime No.470 Of 2024

Respondent(s)

For Petitioner(s):

V.R.Appaswamee
R.Sasikumar
V.Vijayarajan
S.Thiyagarajan
A.Tamilselvan
T.Praveen

For Respondent(s):

Public Prosecutor

ORDER

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 329(3), 132, 296(b) and 351(2) of BNS in Crime No.470 of 2024, on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that, on 06.12.2024, one Rajanbabu, the Block Development Officer, Cheyyar lodged a complaint stating that, while he was inspecting the accounts of Ramakrishnapuram Panchayat, the petitioner herein entered into the panchayat office, abused the defacto complainant and tried to attack him, further obstructed him from discharging his duty. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and had not committed any offence as alleged by the prosecution and he has been falsely implicated in the case. He also submitted that the petitioner is ready to produce solvent sureties and to abide by any conditions that may be imposed by this Court and also to appear and co-operate for the investigation, therefore, he prayed for the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for the grant of anticipatory bail to the petitioner, stating that the petitioner in drunken mode, entered into the panchayat office, abused and threatened the defacto complainant, who is the Block Development Officer, Cheyyar. He also submitted that the petitioner has one previous case.



5. Heard the learned counsel for the petitioners, the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 Judicial Magistrate Court, Cheyyar** on condition that the petitioner shall execute a separate 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.

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[b] the petitioner shall report before the respondent police everyday at 06:30 p.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 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 B.N.S.

17.12.2024

stn

To



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1. State, Rep. By, The Inspector Of Police,
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A.D. JAGADISH CHANDIRA, J.

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