



CRL OP(MD). No.6755 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/04/2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD). No.6755 of 2024

N.Nagarajan

... Petitioner/ Accused
(Rank Not Known)

Vs

1. The Inspector of Police,
West Police Station, Kovilpatti,
Tuticorin District.

2. The Inspector of Police,
Maddur Police Station,
Maddur Taluk,
Mandya District,
State of Karnataka.
Crime No. 65 of 2024.

... Respondents/ Complainants

3. Rohith Kumar Dubey

... 3rd Respondent/ Defacto Complainant

For Petitioner : M/s.R.Suriyanarayanan, Advocate.

For R1 and R2 : Mr.P.Kottai Chamy, Government Advocate (Crl.Side)

PRAYER :-

To enlarge the petitioner / Accused (Rank Not known) on anticipatory bail in the event of the arrest by the 1st and 2nd respondents police in Crime No. 65 of 2024 pending on the file of the 2nd respondent police seeks interstate anticipatory bail.

ORDER : The Court made the following order :-



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The petitioner, apprehending arrest at the hands of the respondent police in connection with the case in Crime No.65 of 2024 for the offence under Sections 408, 420, 120(B) of IPC, has filed this petition, seeking anticipatory bail.

2. The learned counsel for the petitioner submits that the petitioner is ready to co-operate for investigation before the second respondent and he seeks interim protection for the petitioner to move the appropriate court for obtaining necessary protection.

3. A Division Bench of this Court in the decision reported in 1992 LW (Crl) 475, [S.P. Shanthi Swaroop and Others v. State of Tamil Nadu], after considering several judgments delivered by various High Courts, has held that in respect of persons, who have been accused of a non-bailable offence committed beyond the territorial jurisdiction of the State of Tamil Nadu, if their arrest is sought within the jurisdiction of this Court, irrespective of the fact that they are residents of the place over which this Court was having jurisdiction, this Court can grant them Anticipatory Bail for a limited period and direct the concerned persons to move the Court, which is having regular jurisdiction over the matter in the meantime. The relevant portion in the said judgment reads as follows:

“The High Court or the Court of Session has got power under Section 438, Cr.P.C., to grant Anticipatory Bail irrespective of the local



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of the commission of the offence. In other words, in respect of persons, who have been accused of a non-bailable offence committed beyond the territorial jurisdiction of the State of Tamil Nadu, if their arrest is sought within the jurisdiction of this Court irrespective of the fact that they are residents of the place over Anticipatory Bail. However, we wish to observe that while granting Anticipatory Bail, this Court has to restrict the relief for a limited period and to direct that concerned persons to move the Court which is having jurisdiction over the matter in the meantime and also impose such condition so as to make the Petitioners available for interrogation by the concerned Police in the meantime.”

4.Considering the facts and circumstances of the case and in view of the decision referred to supra, without expressing any opinion with regard to the merits of the case, this Court is inclined to grant Inter-State Anticipatory Bail to the petitioner, enabling him to move the concerned Court of jurisdiction for Anticipatory Bail.

5.Accordingly, interim Anticipatory Bail is granted to the petitioners for a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to be enlarged on bail in the event of arrest or on his appearance before the learned Judicial Magistrate, Kovilpatti, Tuticorin District, on executing a personal



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bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the satisfaction of the respondent police or the police officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that within the said period of four weeks, the petitioner shall appear before the concerned Court of jurisdiction and move for Anticipatory Bail before the said Court.

6.In fine, this criminal original petition is disposed of in the above terms.

sd/-
30/04/2024

/ TRUE COPY /

21/05/2024

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS
TO

1 THE JUDICIAL MAGISTRATE, KOVILPATTI, THOOTHUKUDI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE, WEST POLICE STATION, KOVILPATTI,
TUTICORIN DISTRICT.

4 THE INSPECTOR OF POLICE, MADDUR POLICE STATION,
MADDUR TALUK, MANDYA DISTRICT, STATE OF KARNATAKA.

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

+1 CC to M/s.R.SURIYANARAYANAN, Advocate (SR-5268[I] dated 30/04/2024)



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ORDER

IN

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Date :30/04/2024

RS//SAR-(21.05.2024) 5P 7C

Madurai Bench of Madras High Court is issuing
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