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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/06/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.9297 of 2024

K.Nageswaran ... Petitioner/Accused No.1

Vs

The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
Cr.No.332/2024. ... Respondent/Complainant

For Petitioner : M/s.I.Kalantar Aasik Ahamadu,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.332 of 2024 on the file of the respondent police

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ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 143, 283, 294(b), 353 & 506(ii) of IPC in Crime No.332 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 18.06.2024, the petitioner along with some other persons have conducted a protest against TWAD Board, Ramanathapuram for disconnecting the drinking water connection of Senjolai Mental Illness Home without any proper intimation and permission. When the same was questioned by the TWAD officials, the petitioner and his group abused the officials and threatened them with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioner claims that he is running an Orphanage. The Government has sanctioned a sum of Rs.1,50,000/- to the Orphanage for basic amenities. The petitioner has lodged a complaint as against the TWAD Board in respect of leakage of drinking water through broken pipes. For having lodged a complaint as against the TWAD Board, this case has been foisted as against this petitioner.

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4.The learned Additional Public Prosecutor appearing for the respondent submits that the petitioner has conducted the protest without getting proper permission from the authorities.

5.Considering the facts and circumstances of the case and the submission of the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and 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 of receipt of a copy of this order, before the Judicial Magistrate Court No.II, Ramanathapuram on condition that the petitioner shall execute a bond for a sum of Rs.25,000/-(Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate Court No.II, Ramanathapuram and on further conditions that:

i. The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;

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ii. The petitioner shall appear before the respondent police as and when required and he has to co-operate for interrogation.

iii. The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.

iv. On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
25/06/2024

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/07/2024
Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN

TO

1.THE JUDICIAL MAGISTRATE COURT NO.II,
RAMANATHAPURAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM

https://www.mhc.tn.gov.in/judis

3.THE INSPECTOR OF POLICE,
KENIKKARAI POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

ORDER
IN
CRL OP(MD) No.9297 of 2024
Date :25/06/2024

RK/GS (02.07.2024)/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.

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