



CRL OP(MD). No.9996 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.9996 of 2024

P.Maharasa

... Petitioner /Unnamed Accused

Vs

The Inspector of Police,
Koppampatti Police Station,
Thoothukudi District.
Cr.No.33/2024.

... Respondent/Complainant

For petitioner : Mr.G.Sarath kumar,
Advocate.

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Cr No.33/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner /Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 147, 435 I.P.C r/w. Sections 3 and 4 of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1992, in

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



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Cr.No.33 of 2024, seeks anticipatory bail.

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2.The case of the prosecution is that due to dispute regarding to obtaining PDS rice, the petitioner and other accused were hurling petrol bomb to the defacto complainant's dost vehicle and destroyed the cattle shed and 50 coconut trees in the defacto complainant's garden. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate(Crl.Side) would submit that the investigation is pending and co-accused was arrested and released on bail. Hence, he strongly opposed to grant anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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 Judicial Magistrate No.II, Kovilpatti, Thoothukudi District.

(i)the sureties shall affix their photographs and left thumb impression in the



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surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioner shall report before the respondent police daily at 10.30 a.m.,for a period of two weeks and thereafter, as and when required for interrogation;

(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.

v)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].

sd/-
08/07/2024

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

LS
TO
1 THE JUDICIAL MAGISTRATE NO.II,
KOVILPATTI, THOOTHUKUDI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.



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3 THE INSPECTOR OF POLICE,
KOPPAMPATTI POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.G.SARATH KUMAR, Advocate (SR-7624[I] dated 08/07/2024)

ORDER IN
CRL OP(MD). No.9996 of 2024
Date :08/07/2024

SA/VR/SAR. /19.07.2024/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.