



CRL OP(MD). No.10170 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/07/2024

PRESENT

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

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1. Maruthamuthu,

2. Ambika,

3. Raju,

4. Nagarani,

5. Amsapathi @ Amsath Kumar,

6. Shantha Seela,

... Petitioners/Accused Nos. 1 to 6

Vs

The Inspector of Police,
Ayakudi Police Station,
Dindigul District.
Cr.No.100/2024.

... Respondent/Complainant

For Petitioners : M/s.Venkatesh.D, Advocate.

**For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)**



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PETITION FOR ANTICIPATORY BAIL Under Sec. 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 100/2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 427, 447, 323, 379 and 506 (ii) of IPC, in Cr.No.100 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to civil dispute between the parties, the petitioners and other accused said to have trespassed into house of the defacto complainant and threatened him to vacate the premises and tried assaulted him with deadly weapon and also stolen the materials worth about Rs.1,00,000/-. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.



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4.The learned Government Advocate(Crl.Side) submits that the petitioners are not having any previous case. He further submits that the investigation is pending. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the fact that there is no previous case against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Palani, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a)the petitioners 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

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card or Bank pass Book to ensure their identity;

(b)the petitioners shall report before the respondent police daily at 10.30 am for a period of three weeks and thereafter, as and when required for interrogation.

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
09/07/2024

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



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TO

- 1 THE JUDICIAL MAGISTRATE,
PALANI
- 2 DO THROUGH:
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 THE INSPECTOR OF POLICE
AYAKUDI POLICE STATION, DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.D.VENKATESH, Advocate (SR-7679[I] dated 10/07/2024)

ORDER
IN

CRL OP(MD) No.10170 of 2024

Date :09/07/2024

PKP/GS/SAR /22.07.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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