



CRL OP(MD). No.10793 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/07/2024

PRESENT

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

CRL OP(MD). No.10793 of 2024

Mohamed Munas,

... Petitioner/ Accused Rank not Known

Vs

The Inspector of Police,
Mimisal Police Station,
Pudukkottai District.
Crime No . 43 of 2024.

... Respondent/ Complainant

For Petitioner : M/s. Ameer Hussain M,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C (under Section 482 of BNSS)



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PRAYER :-

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For Anticipatory Bail in Crime No.43 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 174 (3) @ 147, 148, 341 and 302 of IPC, in Cr.No.43 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, on 22.04.2024, the petitioner along with the other accused has murdered the deceased. Hence the case.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that this Court has granted bail to the co-accused. Therefore, he prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent submits that the petitioner along with the other accused murdered the deceased by engaging henchmen from Dindigul District.

5. Considering the facts and circumstances of the case and also considering the fact that the co-accused have already been released on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate Court, Manamelkudi on condition that the petitioner shall execute 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 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 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;

(b) the petitioner shall report before the Inspector of Police, Mattuthavani Police Station, Madurai District, daily at 10.30 a.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



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learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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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/-
22/07/2024

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

TO

1 THE JUDICIAL MAGISTRATE,
MANAMELKUDI.

2 DO THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

3 THE INSPECTOR OF POLICE
MIMISAL POLICE STATION,
PUDUKKOTTAI DISTRICT.



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

ORDER
IN
CRL OP(MD) No.10793 of 2024
Date :22/07/2024

MGJ/JGB/07.08.2024/5P/5C

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