



CRL OP(MD)No.11010 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 22.07.2024

PRESENT

The Hon`ble MR.JUSTICE AA.NAKKIRAN

CRL OP(MD)No.11010 of 2024

Kanaga Raj

... Petitioner/ Accused No.19

Vs

The Inspector of Police,
Moondradaippu Police Station,
Tirunelveli District.

(Crime No.133 of 2024)

... Respondent/Complainant

For Petitioner : Mr.A.Robinson, Advocate
For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate(Crl.side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.133 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 alleged offence punishable under Sections 143, 291, 353, 283 IPC and Section 8B of the National Highway Act, 1956 and Section 3(1) of the Tamil Nadu Public Property (Prevention of Destruction and Loss) Act, 1982 in Cr.No.133 of 2024_on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that when the defacto complainant was on duty at a funeral procession of one Deepakraja, the accused persons blocked the highway



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and caused disturbance to the public. Hence, the case.

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3.The learned counsel appearing 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 submits that this Court already granted bail to the co-accused.

4.The learned Government Advocate(Crl.side) for the respondent submits that the investigation in this case is yet to be completed.

5.Considering the facts and circumstances of this case and also considering that this Court already granted bail to the co-accused, 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, Nanguneri on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand) 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



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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 learned Judicial Magistrate, Kamuthi for all hearing dates, without fail;

(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 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/-
22/07/2024

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

gns

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TO

WEB COPY

1 THE JUDICIAL MAGISTRATE, NANGUNERI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, MOONDRADAIPPU POLICE STATION,
TIRUNELVELI DISTRICT.

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

COPY TO

1 THE JUDICIAL MAGISTRATE, KAMUTHI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

+1 CC to M/s.A.ROBINSON, Advocate (SR-8284[I] dated 22/07/2024)

ORDER
IN

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Date :22/07/2024

RS/VR/SAR-(31.07.2024) 4P 8C

Madurai Bench of Madras High Court is issuing
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