



CRL OP(MD). No.11231 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23/07/2024

PRESENT

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

CRL OP(MD). No.11231 of 2024

Sudharshan

... Petitioner/ Accused (Rank Not Known)

Vs

The Sub Inspector of Police,

Manur Police Station,

Tirunelveli District.

Crime No. 470 / 2024

... Respondent/Complainant

For Petitioner : Mr.G.Radhakrishnan, Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 B.N.S.S

PRAYER :-

For Anticipatory Bail in Crime No.470 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 395 IPC in Cr.No.470 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused assaulted and abused the defacto complainant with filthy language and robbery of mobile phone worth about

Rs.15,000/- and cash of Rs.2,000/-. Hence, the complaint.

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

4.The learned Government Advocate (criminal side) appearing for the respondent police strongly opposed to grant anticipatory bail to this petitioner, however, he would submit that in this case, the injured has already been discharged from the hospital and no previous case is pending against the petitioner.

5.Considering the facts and circumstances of the case and also considering the facts that the injured has already been discharged from the hospital and no previous case is pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 No.V, Tirunelveli 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



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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 respondent police daily at 10.00 a.m for a period of four weeks and thereafter, as and when required for interrogation;

(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/-
23/07/2024

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

SKN

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TO

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1 THE JUDICIAL MAGISTRATE NO.V, TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI.

3 THE SUB INSPECTOR OF POLICE, MANUR POLICE STATION,
TIRUNELVELI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.11231 of 2024

Date :23/07/2024

RS/JGB/SAR-(01.08.2024) 4P 5C

Madurai Bench of Madras High Court is issuing
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