



CRL OP(MD)No.11769 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 26.07.2024

PRESENT

The Hon`ble MR.JUSTICE AA.NAKKIRAN

CRL OP(MD)No.11769 of 2024

1.Ayyappan

2.Prasanna

... Petitioners /
Accused Rank Not Known

Vs

The Inspector of Police,
Velayuthapattinam Police Station,
Sivagangai District.
(In Crime No.29 of 2024)

... Respondent / Complainant

For Petitioner : Mr.A.Arputharaj, 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.29 of 2024 on the file of the Respondent Police.



CRL OP(MD)No.11769 of 2024

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 191(2), 191(3), 296(b), 118(1), 351(3) and 303(2) NH BNS and Section 4 of TNPWH Act in Cr.No.29 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the the accused persons unlawfully assembled with deadly weapons, abused the defacto complainant in filthy language, threatened him with dire consequences, committed theft and also caused injuries. Hence, the case.

3.The learned counsel appearing for the petitioners submits that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He further submits that this Court already granted anticipatory bail to the co-accused.

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

5.Considering the facts and circumstances of the case and also considering the fact that this Court already granted anticipatory bail to the co-accused., this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, this criminal original petition is allowed and the petitioners are



CRL OP(MD)No.11769 of 2024

ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Devakottai, Sivagangai District on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand) 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 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 two weeks and thereafter, as and when required;

(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 petitioner released on bail by the learned Magistrate/ Trial Court himself as laid down by the Hon'ble Supreme Court



CRL OP(MD)No.11769 of 2024

in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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

sd/-
26/07/2024

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/ 08 /2024
Sub-Assistant Registrar (C.S.I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

TO

1. THE JUDICIAL MAGISTRATE, DEVAKOTTAI,
SIVAGANGAI DISTRICT

2. DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3. THE INSPECTOR OF POLICE
VELAYUTHAPATTINAM POLICE STATION,
SIVAGANGAI DISTRICT.

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



CRL OP(MD)No.11769 of 2024

+1 CC to M/s.A.ARPUTHARAJ, Advocate (SR-8950[I] dated 30/07/2024)

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ORDER
IN

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Date :26/07/2024

PSP/VR/SAR /06.08.2024/ 5P/ 6C

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