



CRL OP(MD). No.11975 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/07/2024

PRESENT

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

CRL OP(MD). No.11975 of 2024

1. Thiruppathi,

2. Velmurugan,

... Petitioners/ Accused No.6&10

Vs

The Inspector of Police,
M.Chatrapatti Police Station,
Madurai District,
Crime No.220/2020.

... Respondent/Complainant

For Petitioners: Mr.M. Maran,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.220/2020 on the file of the respondent police



CRL OP(MD). No.11975 of 2024

ORDER : The Court made the following order :-

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The petitioners/ A6 & A10, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 324, 332, 506(ii) and 307 of IPC, in Crime No.220 of 2020, seek anticipatory bail.

2.The case of the prosecution is that the petitioners were already granted bail and anticipatory bail by the learned Principal Sessions Judge, Madurai in Crl.MP.No.2817 of 2020 and in Crl.MP.No.3145 of 2020 on 10.06.2020 and 29.06.2020 respectively. However, due to non availability of sureties, they are not in a position to produce the sureties before the concerned Court in time and the time granted by the Court for furnishing sureties was also expired very long back. Hence, this petition.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that the major part of the investigation is over. However, charge sheet is yet to be produced before the concerned Court.



CRL OP(MD). No.11975 of 2024

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5.Considering the facts and circumstances of the case and also considering the fact that the major part of the investigation is over, 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 their 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 No.V, Madurai, 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 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 weekly once i.e., every Saturday at 10.30 am until further orders;

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

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CRL OP(MD). No.11975 of 2024

investigation or trial;
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(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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
29/07/2024

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/08/2024

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

DSS

TO

1. The Judicial Magistrate No.V, Madurai,

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CRL OP(MD). No.11975 of 2024

2. Do-Through The Chief Judicial Magistrate,
Madurai District.

3. The Inspector of Police,
M.Chatrapatti Police Station,
Madurai District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.MARAN, Advocate (SR-8923[I] dated 30/07/2024)

ORDER
IN

CRL OP(MD) No.11975 of 2024

Date :29/07/2024

RK/VR (08/08/2024) 5P / 6C

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