



CRL OP(MD). No.14041 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/08/2024

PRESENT

The Hon`ble Mr.Justice **B.PUGALENDHI**

CRL OP(MD). No.14041 of 2024

R. Anish Karuppaih

... Petitioner/ Accused No.35

Vs

The Inspector of Police,
Samayanallur Police Station,
Madurai District
(Crime No. 71 of 2024).

... Respondent/Complainant

For Petitioner : M/s. Dinesh.K.,

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 71 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The respondent police registered a case as against the petitioner in Crime



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No.71 of 2024 for the offence under Sections 25(1)(a) and 7 of Arms Act, Sections 147, 148, 149, 152, 294(b), 307 and 353 I.P.C and Sections 20(b)(ii)(B), 8(c) of NDPS Act, 1985 and Section 3A(1)(a) of Tamil Nadu Open Places(Prevention of Disfigurement) Act, 1959 and 3(1) of Tamil Nadu Public Property (Prevention of Damage & Loss) Act, 1992. Therefore, the petitioner has filed this petition seeking anticipatory bail.

2. The case of the prosecution is that on 23.03.2024, based on a secret information, the respondent Police along with other police officials conducted a search at 12.30 a.m. and found nearly 30 persons assembled together in the night hours with small package of ganja in a plastic bag. On seeing the police officials, they tried to escape from the place of occurrence. However, the respondent Police apprehended A1 to A3. At that time, the petitioner and other accused persons abused the police officials in filthy language and also tried to assault them with deadly weapons. The accused persons have also set fire on the two-wheeler. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that in this case, Accused No.35 was granted anticipatory bail in CrI.O.P(MD)No.11494 of 2024,



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dated 26.07.2024. Hence, he prays for grant of anticipatory bail to the petitioner.

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4.Considering the objections raised by the respondent police that when they were on raid, the accused have waylaid their vehicle and set fire to the same, this Court has dismissed the earlier application filed by the petitioner and the other accused in Crl.O.P(MD)No.7341 of 2024, dated 14.06.2024.

5.Though the earlier application was dismissed on 14.06.2014 itself, the respondent police has not taken any step to secure the petitioner.

6. Considering the fact that one of the co-accused was granted anticipatory bail, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of his arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the concerned Presiding Officer on condition that

(i) the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty



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Five Thousand), with two sureties each for a like sum to the satisfaction of the learned Principal Special Court for EC & NDPS Act Cases, Madurai District.

(ii) The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the government in proof of their residence address;

(iii) The petitioner shall appear before the respondent police daily at 10.30 am and 05.00 pm until further orders for interrogation. He has to co-operate for the investigation.

(iv) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses.

(v) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
27/08/2024

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/09/2024

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

LR



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TO
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- 1 THE PRINCIPAL SPECIAL JUDGE
FOR EC AND NDPS ACT CASES, MADURAI DISTRICT.
 - 2 THE INSPECTOR OF POLICE
SAMAYANALLUR POLICE STATION, MADURAI DISTRICT
 - 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.K.DINESH, Advocate (SR-10495[I] dated 28/08/2024)

ORDER
IN

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Date :27/08/2024

SS/JGB/SAR- /09/09/2024/5P/5C

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