



CRL OP(MD). No.12580 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/08/2024

PRESENT

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

CRL OP(MD). No.12580 of 2024

Saravanan @ Chappathi Saravanan

... Petitioner/ Accused Rank not known

Vs

The Inspector of Police,
Moondradaippu Police Station,
Tirunelveli District.
Crime No. 105/2024.

... Respondent/Complainant

For Petitioner : M/s. Sathish Kumar.K,
Advocate.

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 105 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



CRL OP(MD). No.12580 of 2024

police for the offences punishable under Sections 294(b), 353 and 307 of IPC, in

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Cr.No.105 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the other accused have tried to celebrate memorial day of one Muthu Mano in his graveyard without obtaining any permission. Due to law and order problem in celebrating the above said memorial day, he warned the accused. However, they tried to celebrate the same. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that no one has sustained in the said occurrence. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) would submit that the investigation is in preliminary stage and the petitioner is having 11 previous cases. But, however, he fairly conceded that no one has sustained in the said occurrence.

5.Considering the facts and circumstances of the case and also considering the



CRL OP(MD). No.12580 of 2024

fact that no one has sustained in the said occurrence, 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, Nanguneri, 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 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 Cheranmahadevi Police Station daily at 10.30 a.m until further orders;

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;



CRL OP(MD). No.12580 of 2024

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(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/-
02/08/2024

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/08/2024

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

DSS
TO

1 THE JUDICIAL MAGISTRATE
NANGUNERI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THIRUNELVELI DISTRICT.



CRL OP(MD). No.12580 of 2024

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

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

COPY TO:
THE INSPECTOR OF POLICE
CHERANMAHADEVI POLICE STATION,
CHERANMAHADEVI.

+1 CC to M/s.K.SATHISH KUMAR, Advocate (SR-9539[I] dated 06/08/2024)

ORDER
IN
CRL OP(MD) No.12580 of 2024
Date :02/08/2024

SS/VR/SAR- /20/08/2024/5P/7C

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