



CRL OP(MD). No.13059 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13059 of 2024

N. Arumugam

... Petitioner/ Accused No.2

Vs

Inspector of Police,
Palani Adivaram Police Station,
Dindigul District.
(Crime No. 172/2024.)

... Respondent/Complainant

For Petitioner : Mr.T.Lajapathi Roy,Senior Advocate
for * **M/s.T.Seeni Syed Amma, Advocate.**

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 172 of 2024 on the file of the Respondent police.



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ORDER : The Court made the following order :-

The petitioner/ A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 189(2), 296(b), 132, 226 of the Bharatiya Nyaya Sanhita (BNS), 2023, in Cr.No.172 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the other accused persons were functioning the shops in the temple property of Arulmigu Dhandayuthapani Swami Thirukovil, Palani. The encroachment proceedings has been initiated as against the encroachers/accused as per the order of this Court, by the concerned officers. The petitioner and the other accused persons have abused the officers, who initiated the encroachment proceedings in filthy language and restrained them from discharging their official duties. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the offence and also considering the facts that the petitioner does not have any bad antecedent and during the encroachment removal, the accused has gone overboard, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5.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



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of this order, before the learned Judicial Magistrate, Pazhani, Dindigul District, 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 respondent police daily at 10.30 a.m, for a period of two 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;



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

sd/-
09/08/2024

(*) Corrected as per order of this Court
dated 14.08.2024 in CRL OP(MD)
No.13059 of 2024

/ TRUE COPY /

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

DSS

To

TO BE SUBSTITUTED WITH THE ORDER DT. 09/08/2024 ALREADEY DESPATCHED

1.The Judicial magistrate,
Pazhani, Dindigul District.

2.Do through the Chief Judicial Magistrate,
Dindigul District.

3.The Inspector of Police,
Palani Adivaram Police Station,
Dindigul District.

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

+1 CC to M/s.T.SEENI SYED AMMA, Advocate (SR-9794[I] dated 12/08/2024)



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+1CC to M/s.S.RAJASEKAR, Advocate, SR No.10008(I), dated 16/08/2024

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ORDER

IN

CRL OP(MD) No.13059 of 2024

Date :09/08/2024

ED/ GS /SAR- (16/08/2024) 5P / 6C

ED/ GS /SAR- (16/08/2024) 5P / 7C

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