



CRL OP(MD). No.13191 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13191 of 2024

Kannan @ Kavu Kannan,

... Petitioner/ Accused No.2

Vs

**The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District,
Crime No.230/2024.**

... Respondent/Complainant

For Petitioner : M/s.Sathya Chidambaram.S, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.230/2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 353, 307 and 506(ii) I.P.C, in Cr.No. 230 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner showed weapon as against the police party and abused them in filthy language and also threatened them. Hence, the complaint.

3.Heard the learned counsel on either side and perused the material records of the case.

4.The prayer for anticipatory bail application is vehemently opposed by the learned Additional Public Prosecutor on the ground that the petitioner has got ten previous cases, including two 302 I.P.C cases. The learned counsel appearing on behalf of the petitioner would take this court through the F.I.R and submit that even though the case is registered under Section 307 I.P.C, the allegation is that the petitioner and the other accused wielded an arrival and threatened the police party. There was no injury for any person. He would further argue that the petitioner was not at all in the scene of occurrence and there are several CCTV footages in the vicinity.

Considering the arguments raised by the petitioner and considering the overall



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facts and circumstances of the case, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5. Accordingly, this Petition is allowed and 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, Cheranmahadevi, Tirunelveli 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 am for a period of four weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

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

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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/-
13/08/2024

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

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TO

1 THE JUDICIAL MAGISTRATE
CHERANMAHADEVI, TIRUNVELVELI DISTRICT.

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



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

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

+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-9913[I] dated
14/08/2024)

ORDER
IN
CRL OP(MD) No.13191 of 2024
Date :13/08/2024

PSP/VR/SAR /23.08.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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