



CRL OP(MD). No.13296 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.13296 of 2024

Murugesan @ Annamalai

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Samayapuram Police Station,
Tiruchirappalli District,
Crime No.240/2024.

... Respondent/Complainant

For Petitioner : Mr.A.Azhageson
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :- For Anticipatory Bail in Crime No.240/2024 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 police for the offences punishable under Sections 296(b), 132 and 351(2) BNS,2023, in Cr.No. 240 of 2024, seeks anticipatory bail.



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2. The case of the prosecution is that when the defacto complainant was on duty in temple, the petitioner by receiving money from the devotees, drag the devotees to the short way to the Dharsan and caused revenue loss to the temple administration. When the same was questioned by the defacto complainant, the petitioner abused the defacto complainant in filthy language and made life threat. Hence, the complaint.

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

4. Considering the overall facts and circumstances of the case and also considering the fact that even though the petitioner has got one previous case, in the present case there are no injury to the defacto complainant, I am inclined to grant anticipatory bail to the petitioner 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



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Magistrate No.III, Tiruchirappalli, 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 three 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;

(d) the petitioner shall not abscond either during investigation or trial;



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(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 NO.III
TIRUCHIRAPPALLI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPPALLI DISTRICT.



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3 THE INSPECTOR OF POLICE
SAMAYAPURAM POLICE STATION
TIRUCHIRAPPALLI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.13296 of 2024
Date :13/08/2024

SS/VR/SAR- /23/08/2024/5P/5C

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