



CRL OP(MD). No.13777 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13777 of 2024

M.K.S.Samsukani

... Petitioner/1st Accused

Vs

The Sub Inspector of Police,
Chinnadharapuram Police Station,
Aravakurichi Circle,
Karur District.
Cr.No.197 of 2024

... Respondent/Complainant

For Petitioner : Mr.D.Shanmugaraja Sethupathi, 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.197 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 295 A & 505(1)(b) of IPC, in Cr.No.197 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that due to birthday celebration of former Chief Minister, a public meeting was organized. In that meeting, the petitioner had used the utter words against the Chief Minister and other Ministers. Hence, the complaint.



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3. Heard both sides.

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4. Considering the nature of the allegations against the petitioner that he spoke in an uncivilised manner as against the Chief Minister and the other Ministers and also considering the argument of the learned counsel for the petitioner that he will be ready and willing to file an undertaking affidavit that in future meetings, he neither will speak in such uncivilized manner nor he will allow engage any such speaker, who speaks in such uncivilised manner, 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 of this order, before the Judicial Magistrate Cum District Munsif Court, Aravakurichi, 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 file an undertaking affidavit before the trial Court that in



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future meetings, he neither will speak in such uncivilized manner nor he will allow engage any such speaker who speaks in such uncivilised manner;

(c)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;

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

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

(f)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;

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

sd/-
22/08/2024

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/09/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

<https://www.mhc.tn.gov.in/judis>



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TO

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1 THE JUDICIAL MAGISTRATE CUM DISTRICT MUNSIF, ARAVAKURICHI.

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

3 THE SUB INSPECTOR OF POLICE, CHINNADHARAPURAM POLICE STATION,
ARAVAKURICHI CIRCLE, KARUR DISTRICT.

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

+1 CC to M/s.D.SHANMUGARAJA SETHUPATHI, Advocate (SR-10266[I] dated
22/08/2024)

ORDER

IN

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Date :22/08/2024

RS/JGB/SAR-(05.09.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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