



CRL OP(MD). No.13492 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13492 of 2024

1. Muthu Kumar,

2. Solai @ Balamuragan,

... Petitioners/ Accused Nos.1&2

Vs

The Inspector of Police,
E5- Mattuthavani Police Station,
Madurai City.
(Crime No.550 of 2024).

... Respondent/Complainant

For Petitioners: M/s.Rajiv Gandhi.K, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

or Anticipatory Bail in Crime no.550 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 127(2), 131 and 351(3) of BNS, 2023, in Crime No.550 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is working as a Sub Inspector of Police in Mattuthavani Police Station, Madurai. On 25.07.2024, when he was in duty, he saw a video. In that video 4 persons have attacked a person, whose hands were tied. On enquiry, he came to know that the accused persons are said to have harassed a driver of the travels, which is functioning at Mattuthavani Amny Bus Stand namely, one Karuppaiya for cheating money by way of illegal tickets and luggages and taken the same as video and posted that in their travels whats-app group. Hence, the case.

3.Heard both sides.

4.Considering the nature of allegation and also considering the fact that the co-accused were already released on anticipatory bail by this Court in CrI.OP(MD) No.12425 of 2024 on 09.08.2024, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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5. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.VI, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners 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 petitioners shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

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

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;

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



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(f)if the accused thereafter abscond, a fresh FIR can be registered under Section

229-A IPC.

sd/-
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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
NO.VI MADURAI.

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

3 THE INSPECTOR OF POLICE
E5- MATTUTHAVANI POLICE STATION,
MADURAI CITY.

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

+1 CC to M/s.K.RAJIV GANDHI, Advocate (SR-10089[I] dated 19/08/2024)



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ORDER
IN
CRL OP(MD) No.13492 of 2024
Date :19/08/2024

PSP/GS/SAR /24.08.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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