



CRL OP(MD). No.13623 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13623 of 2024

T. Jebastin Jegan

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Thucklay Police Station,
Kanyakumari District.
Cr.No.485 of 2024.

... Respondent/Complainant

For Petitioner : Mr.C.Mayilvahana Rajendran, Advocate

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.485 of 2024 on the file of the respondent poilice



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ORDER : The Court made the following order :-

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The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1), 351(3) BNS, in Crime No.485 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is working under the defacto complainant, who is a building contractor. On 04.08.2024, the petitioner is said to have stolen an iron rod from the construction site. Therefore, the defacto complainant has terminated the petitioner. On this motive, the petitioner is said to have abused the defacto complainant in filthy language and also threatened him with dire consequences. Hence, the complaint.

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

4.Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital and that there is no bad antecedent against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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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-I, Padmanabapuram, Kanyakumari 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 three weeks;

(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/-
30/08/2024

/ TRUE COPY /

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

LR

TO

1.THE JUDICIAL MAGISTRATE-I,
PADMANABAPURAM, KANYAKUMARI DISTRICT,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT @ NAGERCOIL.



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3. THE INSPECTOR OF POLICE,
THUCKLAY POLICE STATION,
KANYAKUMARI DISTRICT.

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

+1 CC to M/s.C.MAYILVAHANA RAJENDRAN, Advocate (SR-10790[I] dated
03/09/2024)

ORDER
IN
CRL OP(MD) No.13623 of 2024
Date :30/08/2024

RK/VR (12/09/2024) 5P / 6C
Madurai Bench of Madras High Court is issuing certified copies in this format from
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