



CRL OP(MD). No.14023 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 27/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Anthony Demion @ Dany,

... Petitioner/ Accused No.9

Vs

The Inspector of Police,  
Town South Police Station,  
Dindigul.  
Dindigul District.  
Cr.No.182 of 2023.

... Respondent/Complainant

For Petitioner : Mr.C.Ezhilarasu,  
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :- To enlarge the petitioner on bail in the event of his arrest in connection with a case in P.R.C.No.77 of 2023 on the file of the Judicial Magistrate Court No.III, Dindigul in Crime No.182 of 2023 on the file of the respondent police.

ORDER : The Court made the following order :-

This Petition is filed to enlarge the petitioner on bail in the event of his arrest



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in connection with a case in P.R.C.No.77 of 2023 on the file of the Judicial Magistrate

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Court No.III, Dindigul in Crime No.182 of 2023 on the file of the respondent police.

2. The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 302 @ Sections 147, 148, 149, 109, 302 IPC, in Cr.No. 182 of 2023, seeks anticipatory bail.

3. The case of the prosecution is that due to previous enmity between the parties, the petitioner and other accused had murdered the deceased. Hence, the complaint.

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

5. In this case, the petitioner is arrayed as A9. It seems that until the investigation was over, the petitioner was not arrested and an upcoming charge sheet is filed in P.R.C.No.77 of 2023. Even though the petitioner is arrayed as A9, it seems that it was not specifically mentioned that he was absconding and therefore, the trial Court has issued summons. Pursuant to the summons, the petitioner has also been appearing before the trial court on various occasions.



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6. Considering the fact that the investigation is completed and the petitioner is also appearing before the trial Court on several occasions, even though a case under Section 302 I.P.C and the allegations are serious in nature, only to set right the above procedural lapses and only in the interest of the progress of the case, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

7. 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 No.III, Dindigul, 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;



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(b)the petitioner shall appear before the trial Court on every hearing without fail;

(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;

(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/-

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/09/2024

Sub-Assistant Registrar

( C.S. I / II / III / IV )

Madurai Bench of Madras High Court,

Madurai - 625 023.

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TO  
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- 1 THE JUDICIAL MAGISTRATE NO.III  
DINDIGUL
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
DINDIGUL.
- 3 THE INSPECTOR OF POLICE  
TOWN SOUTH POLICE STATION,  
DINDIGUL.  
DINDIGUL DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
IN

CRL OP(MD) No.14023 of 2024

Date :27/08/2024

SS/SG/SAR- /05/09/2024/5P/5C

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