



CRL OP(MD). No.13973 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

CRL OP(MD). No.13973 of 2024

Raja

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu,
Rep by its Inspector of Police,
Thirupanandhal Police Station,
Thanjavur District.
(Crime No.317 of 2023)

... Respondent/Complainant

For Petitioner : Mr.P.R.Boomee Rajan, 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.317 of 2023 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 143, 341, 294(b), 353, 505(1)(b) and



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506(ii) IPC/189(2), 126(2), 296(b), 132, 353, 351(3) of BNS Act r/w 4A(1b) of Tamil Nadu Open Places(Prevention of Disfigurement) Act, 1959. in crime No.317 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the other accused quarrelled with the de-facto complainant for demanding donation from the Block Development Officer at Thiruppananthal. The de-facto complainant lodged a complaint. Hence, the respondent police registered a case against the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. The learned counsel for the petitioner would further submit that the petitioner belongs to an organization and they were only staging a dharna with reference to the manner in which a water tank was being built and operated. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate(Crl.sdie) appearing for the State would oppose the anticipatory bail stating that the petitioner barged into the office of the de facto complainant and demanded donation for his organization.

5.Considering the overall averments made in the first information report, I am inclined to enlarge the petitioner on anticipatory bail.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is



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ordered to be released on bail in the event of arrest or his appearance, on executing 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 District Munsif cum Judicial Magistrate, Thiruvudaimaruthur, Thanjavur District.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)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;

(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.

v)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].



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(vi)if the accused thereafter absconds, a fresh FIR can be registered under Section

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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.

NS

To

- 1.The District Munsif cum Judicial Magistrate,
Thiruvidaimaruthur, Thanjavur District.
- 2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.
- 3.The Inspector of Police,
Thirupanandhal Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.13973 of 2024
Date :27/08/2024

ED/ VR /SAR- (05/09/2024) 4P / 5C
Madurai Bench of Madras High Court is issuing certified copies in this format from
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