



CRL OP(MD). No.14108 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.08.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14108 of 2024

Sentamilselvan

**... Petitioner/ Accused
Rank Not Known**

Vs

**The Inspector of Police,
Pattukottai Police Station,
Thanjavur District.
Crime No.554 of 2023.**

... Respondent/Complainant

For Petitioner : M/s.R.Balamuruganatham, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

**For Anticipatory Bail in Crime No.554 of 2023 on the file of the Respondent
police.**



CRL OP(MD). No.14108 of 2024

WEB COPY

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence under Section 25(1A) of Arms Act, 1959, in Crime No.554 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that on 18.09.2023, the respondent police received a secret information that some peoples were engaging in public nuisance with the prohibited arms. Based on the secret information, the respondent police reached the occurrence place. On seeing the police, the accused try to escape from the scene of occurrence and the respondent police caught him. Hence, the complaint.

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

4. Considering the nature of allegation that the petitioner wielded the weapon in public and threatened the police party in public and also considering the fact that the case was registered only on 18.09.2023, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

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



CRL OP(MD). No.14108 of 2024

Pattukottai, 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 two 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;

(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;

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



CRL OP(MD). No.14108 of 2024

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

229-A IPC.

sd/-

28/08/2024

/ TRUE COPY /

/ 09 /2024

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

JBR

TO

1 THE JUDICIAL MAGISTRATE,
PATTUKOTTAI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

3 THE INSPECTOR OF POLICE
PATTUKOTTAI POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.R.BALAMURUGANANTHAM, Advocate (SR-10501[I] dated
28/08/2024)



WEB COPY



CRL OP(MD). No.14108 of 2024

ORDER
IN
CRL OP(MD) No.14108 of 2024
Date :28/08/2024

PSP/ VR /SAR /21.09.2024/ 5P/ 6C

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