



CRL OP(MD). No.14396 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Jeyagopal,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Uvari Police Station,
Tirunelveli District.
(In Crime No.137 of 2024).

... Respondent/Complainant

For Petitioner : Mr.G.Anto Prince, 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.137 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the

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respondent police for the offences punishable under Sections 303(2) & 326 of the Bharatiya Nyaya Sanhita (BNS), 2023, (379 & 430 of Indian Penal Code) and Section 3 of Tamil Nadu Public Property)Prevention of Damage & Loss) Act, 1992, in Crime No.137 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner set fire to a shed of the defacto complainant worth about Rs.50,000/- and stole a submersible motor and rope worth about Rs.1,00,000/-. Hence, the complaint.

3.Heard both sides.

4. Considering the nature of the allegations made against the petitioner that the petitioner caused loss to the property of the defacto complainant, which is in the nature of a construction shed and a submersible motor and also considering the argument of the learned counsel for the petitioner that without prejudice to his contentions, the petitioner will deposit a sum of Rs.40,000/- to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5.Accordingly, as undertaken, the petitioner shall pay a sum of Rs.40,000/- (Rupees Forty Thousand Only) to the credit of Crime No.137 of 2024, without prejudice to his rights and contentions before the trial Court and produce the receipt/acknowledgement before the learned Judicial Magistrate, Radhapuram,



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Tirunelveli District.

6.On production of such receipt, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of four weeks from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Radhapuram, Tirunelveli 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 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;

(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

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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/-
03/09/2024

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/ 09 / 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
RADHAPURAM TIRUNELVELI DISTRICT.

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

3 THE INSPECTOR OF POLICE
UVARI POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.G.ANTO PRINCE, Advocate (SR-10869[I] dated 04/09/2024)
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ORDER
IN
CRL OP(MD) No.14396 of 2024
Date :03/09/2024

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

Madurai Bench of Madras High Court is issuing certified
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