



CRL OP(MD). No.14476 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Rahul,

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.
(Crime.140 of 2024).

... Respondent/Complainant

For Petitioner : Mr.G.ARAVINTHAN, Advocate
for M/s.Aran Legal Consultancy

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.140 of 2024 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



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police for the offences punishable under Sections 505(2) IPC in Crime.No.140 of 2024,

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seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein had posted his photographs in instagrams Accounts with dangerous weapons and slogans. Hence, the complaint.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

4. Considering the nature of allegations against the petitioner that the petitioner posting photographs with weapons in the social media and considering the argument of the learned Counsel for the petitioner that he will file an affidavit of undertaking before the trial Court that he will surrender the smart phone and hereafter, use only the button phone for him and that he will come out of the social media account by permanently logging out and deleting his account, I am inclined to enlarge the petitioner on anticipatory bail.

5.Accordingly, 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, Valliyur on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)



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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) As per the undertaking, the petitioner shall file an affidavit of undertaking to the effect that the petitioner will surrender the smart phone and hereafter, he will use only an ordinary phone and that he will come out of the social media accounts by permanently logging out and close his account.

(c) 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;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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



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in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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(g)if the accused thereafter absconds, a fresh FIR can be registered under
Section 229-A IPC.

sd/-
02/09/2024

/ TRUE COPY /

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

TRP
TO

1 THE JUDICIAL MAGISTRATE,
VALLIYUR.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

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

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



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+1 CC to M/s.K.SIVABALAN, Advocate (SR-10827[I] dated 04/09/2024)

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ORDER
IN
CRL OP(MD) No.14476 of 2024
Date :02/09/2024

SA/SG/SAR. /14.09.2024/5P/6C

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