



CRL OP(MD). No.15038 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15038 of 2024

Malaiyan

... Petitioner/ Accused No.3

Vs

The Inspector of Police,
Singampunari Police Station,
Sivagangai District.
Crime No.257 of 2024..

... Respondent/Complainant

For Petitioner : S.Balaji-Ms/1901/2012,
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.257 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-



CRL OP(MD). No.15038 of 2024

The petitioner/ A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 310(4) of Bharathiya Nyaya Sanhita (BNS) Act, 2023 and 25(1A) of Arms Act, 1959 in Cr.No.257 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the other accused are said to have prepared a dacoity. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations that the petitioner was also found in the scene of occurrence where all the accused have been preparing to commit the offence and also considering the fact that there are no bad antecedents against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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 Judicial Magistrate Court, Singampunari, Sivagangai 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 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:



CRL OP(MD). No.15038 of 2024

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(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 a.m, for a period of three 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 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/-
09/09/2024

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/09/2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.15038 of 2024

TO
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1 THE JUDICIAL MAGISTRATE COURT,
SINGAMPUNARI.

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

3 THE INSPECTOR OF POLICE,
SINGAMPUNARI POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.S.BALAJI, Advocate (SR-11071[I] dated 10/09/2024)

ORDER
IN

CRL OP(MD) No.15038 of 2024

Date : 09/09/2024

BV/SAR- /20/09/2024/4P/6C

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