



CRL OP(MD). No.15254 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 10.09.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Sangili
2. Indian

... Petitioners/ Accused No.1 & 3

Vs

The Inspector of Police,
Varusanadu Police Station,
Theni District.
(Crime No.118 of 2024)

... Respondent/Complainant

For Petitioners : Mr.S.Mandhiringeshwaran, Advocate.

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.118 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-



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The petitioners /Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 318(4), 296(b), 351(2) of BNS, in Crime No.118 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the petitioners received a sum of Rs.4,50,000/- from the defacto complainant by promising that they will arrange a job in Southern Railway Department. Thereafter, some well wishers of the village tried to pacify the issue but the petitioners threatened the defacto complainant. Hence, the complaint.

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

4.Considering the nature of allegations that by promising a job in the Railways, the petitioners obtained Rs.4,50,000/- from the defacto complainant and also considering the arguments made by the learned Counsel for the petitioners to show their bonafide, the petitioners are ready to deposit a sum of Rs.75,000/- (Rupees Seventy Five Thousand only) each, I am inclined to enlarge the petitioners on anticipatory with certain conditions.

5.Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial



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Magistrate, Andipatti, Theni District, on condition that the petitioners shall execute 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 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 petitioners 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 undertaken, the petitioners shall deposit a sum of Rs.75,000/- (Rupees Seventy Five Thousand only) each to the credit of Crime No.118 of 2024 before the Judicial Magistrate, Andipatti, Theni District, without prejudice to their rights and contentions before the trial Court within a period of four weeks from the date of receipt of a copy of this order and produce the receipt/acknowledgment before the concerned Court while executing sureties. Only upon deposit, the petitioner shall be enlarged on anticipatory bail.

(b) the petitioners 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. It is made clear that no relaxation of the condition for the said period will be entertained by this court;



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(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
10/09/2024

/ 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,
Andipatti,
Theni District.



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2. Do through the Chief Judicial Magistrate,
Theni District.

3. The Inspector of Police,
Varusanadu Police Station,
Theni District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.MANDHIRALINGESWARAN, Advocate (SR-11216[I] dated
12/09/2024)

ORDER

IN

CRL OP(MD) No.15254 of 2024

Date :10/09/2024

ED/ JGB /SAR- (26/09/2024) 5P / 6 C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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