



CRL OP(MD). No.15321 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Ganesan,

... Petitioner/ Accused Rank not known

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Nilakkottai Police Station,
Dindigul District.
Crime No. 305/2024.

... Respondent/Complainant

For Petitioner : M/s. Sukumar.S,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 305 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 (*) 132, 296(b) of BNS, 2023 and

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Section 4 of TNPWH Act in Crime.No.305 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner herein entered into the BDO office and threatened the official with dire consequences. Hence, the complaint.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent Police and perused the materials available on record.

4. Considering the nature of allegations against the petitioner, the petitioner being the Councillor entered the Block Development Office and threatened the officials and also used unparliamentary words and considering the arguments of the learned counsel for the petitioner that the dispute arose with reference to some of the works, which is being carried out in the Union and considering the fact that there are no bad antecedents against the petitioner, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.



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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, Nilakkottai 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 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;



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(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/-
11/09/2024

(*)For amended as per Order of the Court
dt.04.10.2024 in CrI.OP(MD).15321/2024.

Further time for executing the sureties is
extended for a period of one week from the date
of receipt of a copy of this order.

/ TRUE COPY /

04/10/2024
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP
TO
TO BE SUBSTITUTED WITH THE ORDER DT.11.09.2024 IS ALREADY
DESPATCHED
1 THE JUDICIAL MAGISTRATE
NILAKKOTTAI.



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, DINDUGAL DISTRICT.

3 THE INSPECTOR OF POLICE,
NILAKKOTTAI POLICE STATION, DINDIGUL DISTRICT.

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

+1 CC to M/s.S.SUKUMAR, Advocate (SR-11220[I] dated 12/09/2024)

ORDER

IN

CRL OP(MD) No.15321 of 2024

Date :11/09/2024

SS/JGB/SAR- /27/09/2024/5P/6C
TRP

SA/SAR. /05.10.2024/5P/6C

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