



CRL OP(MD). No.15690 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15690 of 2024

1 A.Karthick
2 Rajkumar

... Petitioners/ Accused Nos.1 & 2

Vs

The Inspector of Police,
Andipatti Police Station,
Theni District.
(Crime No.376 of 2024)

... Respondent/Complainant

For Petitioners : M.Karthikeya Venkitachalapathy, 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.376 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 189(2), 270, 292, 285, 126(2), 281, 132, 351(2) of BNS, in Crime No.376 of 2024, seek anticipatory bail.



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2.The case of the prosecution is that during the Vinayagar Idols Procession, there was a competition between the petitioner's group and another group for going first in the procession. Due to which, the petitioners and the other accused caused public nuisance and dangerously obstructed the public roads, and prevented the defacto complainant and his officials from discharging their duties. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations that the petitioners belonging to one group, had claimed that they would only go first in the Vinayagar Chathurthi procession, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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



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card or Bank pass Book to ensure their identity;

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(b)the petitioners 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 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-

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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



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TO

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1 THE JUDICIAL MAGISTRATE, ANDIPATTI.

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

3 THE INSPECTOR OF POLICE, ANDIPATTI POLICE STATION, THENI DISTRICT.

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

+1 CC to M/s.M.KARTHIKEYA VENKITACHALAPATHY, Advocate (SR-11501[I]
dated 20/09/2024)

ORDER

IN

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Date :19/09/2024

RS/JGB/SAR-(27.09.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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