



CRL OP(MD). No.16658 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16658 of 2024

1. R.Saravanan
2. Eswarapandi
3. Rajesh @ Muthurajesh

... Petitioners/ A1 to A3

Vs

The Inspector of Police,
Koomapatti Police Station,
Virudhunagar District.
Crime No.95 of 2024

... Respondent/Complainant

For Petitioners: Mr.A.S.Vaigunth,
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.95 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused, who apprehend arrest at the hands of the respondent



CRL OP(MD). No.16658 of 2024

police for the offences punishable under Section 304(2) of BNS, in Crime No.95 of 2024, seek anticipatory bail.

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2.The case of the prosecution is that on 26.08.2024 at about 05.00 a.m., the petitioners snatched the mobile phone of 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 fact that the petitioners are said to have snatched the mobile phone belonging to the defacto complainant and have run away and considering the fact that the mobile phone has been recovered and handed over to the defacto complainant and also considering the fact that the petitioners as well as the defacto complainant belonged to the same village, this Court is inclined to grant anticipatory bail to the petitioners 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 Magistrate, Watrap, Virudhunagar 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



CRL OP(MD). No.16658 of 2024

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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)the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of two 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;

(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;



CRL OP(MD). No.16658 of 2024

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section

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229-A IPC.

sd/-
01/10/2024

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/10/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR
TO

1 THE JUDICIAL MAGISTRATE,
WATRAP, VIRUDHUNAGAR DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
KOOMAPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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



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CRL OP(MD). No.16658 of 2024

ORDER
IN
CRL OP(MD) No.16658 of 2024
Date :01/10/2024

SA/MMS/SAR. /18.10.2024/5P/5C

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