



CRL OP(MD). No.16833 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16833 of 2024

Maheshwari

... Petitioner/ Accused No.3

Vs

State of Tamilnadu,
Rep. by Its, the Inspector of Police,
Mathur Police Station,
Pudukkottai District
(Crime No.157/2024).

... Respondent/ Complainant

For Petitioner : M/s.M.Subash Chandra Bose,
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.157 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 132 and 109(1) of BNS, in Crime No.157 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that while the defacto complainant along with her police party searching the petitioner's house, the petitioner obstructed the police from discharging their duty and she poured kerosene over the defacto complainant and threw a match stick fire on her.

3.Heard. Perused the materials available on record including the First Information Report.

4.The allegations against the petitioner are serious in nature. When the police were only doing their duty, the petitioner was supposed to have interfered in the same, threatened them and tried to pour kerosene on them. However, only considering the fact that eventhough such an offence was done, the petitioner was not arrested and the respondent police after conducting a search, returned to his



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police station and thereafter only, the present complaint is given, I am inclined to
enlarge the petitioner on anticipatory bail, with certain conditions:

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Keeranur, Pudukkottai 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 a.m., for a period of three weeks and thereafter, as and when required for interrogation.



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[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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
04/10/2024

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

SJI



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TO

- 1 THE JUDICIAL MAGISTRATE,
KEERANUR, PUDUKKOTTAI DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, PUDUKOTTAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
MATHUR POLICE STATION, PUDUKKOTTAI DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL OP(MD) No.16833 of 2024

Date :04/10/2024

SS/JGB/SAR- /19/10/2024/ 5P/5C

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