



CRL OP(MD). No.16977 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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P.Rajapandi,

... Petitioner/ Accused Rank Not Known

Vs

State of Tamilnadu,
Rep. by its the Inspector of Police,
Alanganallur Police Station,
Madurai District
Crime No. 230 of 2024.

... Respondent/Complainant

For Petitioner : M/s.M.Jegadeesh Pandian,
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.230 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 147, 148, 341, 342, 506(2) and 302 of IPC, in Crime No.230 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, on 09.06.2024 at about 06.30 p.m., six unknown persons came in a two wheeler, assaulted the defacto complainant's son with deadly weapons, due to which, he succumbed to injury.

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

4.Eventhough the offence is serious in nature under Section 302 of IPC, the allegation against the present petitioner is that after the commission of offence, he provided asylum to the accused. Considering the fact that the charge sheet is filed and the case is now pending in P.R.C.No.60 of 2024 and that on the submissions made by the learned counsel for the petitioner that unknowingly the petitioner gave accommodation to the accused and considering the fact that the petitioner does not have other antecedents and he is aged only 20 years, 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, Vadipatti,



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Madurai, 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 trial Court on all hearing dates without fail.

[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].



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

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229A IPC.

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

SJI
TO

1 THE JUDICIAL MAGISTRATE,
VADIPATTI, MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
ALANGANALLUR POLICE STATION,
MADURAI DISTRICT.

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



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ORDER
IN
CRL OP(MD) No.16977 of 2024
Date :04/10/2024

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.