



CRL OP(MD). No.16992 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
CRL OP(MD). No.16992 of 2024**

Maheshwaran

... Petitioner/ Accused No.3

Vs

**The State of Tamilnadu,
Rep by the Inspector of Police,
Siruganur Police Station,
Tiruchirappalli District.
Crime No.145 of 2024.**

... Respondent/Complainant

For Petitioner : Mr.Mohan Gandhi S.M., Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.145 of 2024 on the file of the Respondent Police.

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 191(2), 126(1), 296(b), 115(2), 118(1), 303(1) and 351(3) of BNS, 2023, in Crime No.145 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner



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along with the other accused, abused the defacto complainant in filthy language and attacked him.

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

4.Considering the nature of allegations that on account of the motive that the defacto complainant was a whistleblower bringing to the light of the authorities of the theft of river sand committed by the petitioner and therefore, the petitioner wrongfully restrained him and also attacked him with hands and only considering the fact that there are no other antecedents against the petitioner, 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, Lalgudi, Trichirappalli, 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



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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.

[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.



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TO

- 1 THE JUDICIAL MAGISTRATE, LALGUDI, TIRUCHIRAPPALLI.
 - 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
 - 3 THE INSPECTOR OF POLICE,
SIRUGANUR POLICE STATION, TIRUCHIRAPPALLI DISTRICT.
 4. THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS
HIGH COURT, MADURAI.
- +1 CC to M/s.S.M.MOHAN GANDHI, Advocate (SR-12311[I] dated 07/10/2024)

ORDER
IN
CRL OP(MD) No.16992 of 2024
Date :04/10/2024

PSP/ MMS /SAR /25.10.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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