



CRL OP(MD). No.17323 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 09/10/2024

PRESENT

The Hon`ble Mr.Justice K. RAJASEKAR

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1. Anvar Beig
2. Mohamed Manzur
3. Rahamadulla
4. Kaja Raja
5. Raj Kapore
6. Ziavulhuq
7. Jiavudheen Beig @ Jiavudheen
8. Abuthahir @ Syed Abuthahir
9. Mansoor Mubharak @ Mansoor Ali, ... Petitioners/ Accused No.1 to 8 & 10

Vs

**\* The Inspector of Police,  
Melavalavu Police Station,  
Madurai District.  
in Crime No 224 of 2024.**

... Respondent/Complainant



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(Amended as per order of the Court  
dated 22.10.2024 in CRL MP(MD)  
No.11203 of 2024 in CRL OP(MD)  
No.17323 of 2024)

For Petitioners : Mr.Rajamohan R, Advocate

For Respondent : Mr.B.Thanga Aravindh,  
Government Advocate (Crl.Side)

### PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.224 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 police for the offences punishable under Sections 191(2), 296(b), 324(4) and 351(2) BNS and Section 4 of TNPHW Act, in Crime No.224 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity the accused have caused damage to the defacto complainant's car to the tune of Rs.20,000/- and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that no one is injured in this occurrence. He further submits that the third petitioner/Rahamadulla is having five previous case in his credit.

5.Considering the facts and circumstances of the case and also considering the fact that no one is injured in the occurrence, this Court is inclined to grant anticipatory bail to the petitioner Nos. 1, 2, 4 to 9 with certain conditions. Considering the bad antecedent of the third petitioner, this Court is not inclined to grant the relief sought for.

6.Accordingly, this Petition is partly allowed insofar as the petitioner Nos. 1, 2, 4 to 9 are concerned. As far as the third petitioner is concerned, this petition is dismissed. The petitioner Nos. 1, 2, 4 to 9 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, Melur, on condition that the petitioner Nos. 1, 2, 4 to 9 shall execute a bond for a sum of Rs.15,000/-(Rupees Fifteen Thousand only)each with two sureties, each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a)the petitioner Nos. 1, 2, 4 to 9 and the sureties shall affix their photographs



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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 Nos. 1, 2, 4 to 9 shall report before the respondent police daily at 05.30 pm for a period of two weeks;

(c)the petitioner Nos. 1, 2, 4 to 9 shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner Nos. 1, 2, 4 to 9 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 Nos. 1, 2, 4 to 9 in accordance with law as if the conditions have been imposed and the petitioner Nos. 1, 2, 4 to 9 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.

(g)The petitioner Nos. 1, 2, 4 to 9 shall deposit a sum of Rs.2,000/- (each) to the credit of the Crime No.224 of 2024 pending before the respondent police.



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7.The trial Court shall decide the amount deposited by the petitioner Nos. 1, 2,

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4 to 9 at the end of the trial.

sd/-

09/10/2024

(\*) Corrected as per order of the Court dated 22.10.2024 in CRL MP(MD) No.11203 of 2024 in CRL OP(MD) No.17323 of 2024

Time granted by this Court to comply with the condition imposed vide order dated 09.10.2024 in CRL OP(MD) No.17323 of 2024 is extended for a period of one week from the date of receipt of the amended copy of this order.

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/10/2024

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

LR

TO

TO BE SUBSTITUTED WITH THE ORDER DT. 09.10.2024 ALREADEY  
DESPATCHED

1 THE JUDICIAL MAGISTRATE  
MELUR.

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

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



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4 THE INSPECTOR OF POLICE,  
KALUGUMALAI POLICE STATION, THOOTHUKUDI DISTRICT

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

+1 CC to M/s.R.RAJAMOHAN, Advocate ( SR-12336[I] dated 09/10/2024 )

ORDER

IN

CRL OP(MD) No.17323 of 2024

Date :09/10/2024

SS/VR/SAR- /16/10/2024/6P/6C

ED/ /SAR- (23/10/2024) 6P / 7C

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