



CRL OP(MD). No.17349 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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Shyjin Mon @ Shyjin Raj

... Petitioner/ Accused Rank not known

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Thuckalay Police Station,
Thuckalay,
Kanniyakumari District.
Crime No.550 of 2024.

... Respondent/Complainant

For Petitioner : Mr.G.Aravinthan, Advocate
M/s.Aran Legal Consultancy,

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.550 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(3), 126(2), 329(4), 324(2), 296(b), 115(2), 118(1), 109, 127(2), 303(2), 351(3) BNS, in Crime No.552 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the first accused has parked his bike on the road, for which, the defacto complainant has requested him to park it at some other place. Aggrieved over the same, the accused persons have attacked the defacto complainant using knife and cause grievous injury. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that no previous case is pending as against the petitioner. The first and third accused were arrested and still in custody.



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5.Considering the facts and circumstances of the case and also considering the antecedent of the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate-I, Padmanabhapuram, Kanyakumari District**, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) 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 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 am for a period of two weeks;**



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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]*; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

(g) The petitioner shall deposit a sum of Rs.5,000/- to the credit of the Crime No.550 of 2024 pending before the respondent police.

7.The trial Court shall decide the amount deposited by the petitioners at the end of the trial.

sd/-
09/10/2024

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/10/2024

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

LR



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TO
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- 1 THE JUDICIAL MAGISTRATE NO.I
PADMANABHAPURAM, KANYAKUMARI DISTRICT.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.
- 3 THE INSPECTOR OF POLICE,
THUCKALAY POLICE STATION,
THUCKALAY,
KANNIYAKUMARI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M/S.ANAN LEGAL CONSULTANCY, Advocate (SR-12340[I] dated 09/10/2024)

ORDER

IN

CRL OP(MD) No.17349 of 2024

Date :09/10/2024

SS/VR/SAR- /16/10/2024/5P/6C

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