



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17628 of 2024

Kirthik Roshan,

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep By,
The Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai District.
Cr.No.401 of 2024..

... Respondent/ Complainant

For Petitioner : Mr.P.Surya,
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 Cr.No.401 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner / Accused No.2, who apprehends arrest at the hands of the



respondent police for the offences punishable under Sections 25(1A) of the Arms Act, 1959 in Crime No.401 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons cut the birthday cake by using a sword and posted the video of this event in the social media and caused the public panic. Hence, the complaint.

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

4. The learned Counsel appearing for the petitioner would submit that the petitioner is an innocent person and a false complaint has been foisted against him. He would further submit that the petitioner is ready to abide by any stringent conditions, that may be imposed on him. Hence, he prays for anticipatory bail to the petitioner.

5. The learned Government Advocate (crl.side) appearing for the respondent Police would submit that the petitioner along with other accused persons cut the birthday cake by using a sword and they posted the video of this event in the Instagram.

6. Considering the nature of allegations that the petitioner is said to have cut the birthday cake with a long sword and considering the fact that the petitioner has no other bad antecedents, I am inclined to enlarge the petitioner on anticipatory bail



with certain conditions:

7. 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 No.VI, 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 serve in the inpatient ward and help the staffs in cleaning the ward for a period of two working days at the Government Rajaji Hospital, Madurai and the said service shall be certified and reported to the investigating officer by the concerned Nursing Superintendent;

[c] the petitioner shall report before the respondent Police, daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.



[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].

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

sd/-
17/10/2024

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/ /2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

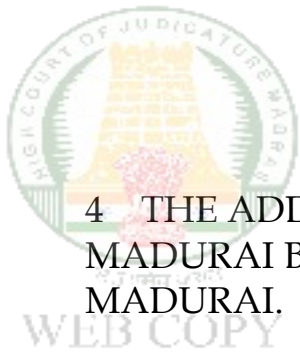
TSG

TO

1 THE JUDICIAL MAGISTRATE NO.IV,
MADURAI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE, MADURAI.

3 THE INSPECTOR OF POLICE
NAGAMALAI PUDUKKOTTAI POLICE STATION,
MADURAI DISTRICT.



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

CRL OP(MD) No.17628 of 2024
Date :17/10/2024

BV (14/11/2024) 5P/ 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.