



CRL OP(MD). No.17819 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17819 of 2024

Mariyappan

... Petitioner/ Accused Rank unknown

Vs

The State of Tamil Needy rep by,
The Inspector of Police,
Mattuthavani Police Station,
Mattuthavani, Madurai.
(In Crime No.748 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.A.Joseph Jerry,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No.748/2024 on the file of the respondent police.



CRL OP(MD). No.17819 of 2024

ORDER: The Court made the following order :-

WEB COPY

The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(1), 132 and 351(3) of BNS, in Cr.No.748 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is said to have disturbed the defacto complainant by taking the passengers from the Government bus to private Omni bus. When the same was questioned by the defacto complainant, he abused him in filthy language and threatened him with dire consequences. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations in this case that the petitioner being a broker, he is enticing, forcing, and pressurising the passengers of the government bus to get down and to travel in the private omnibus, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest



CRL OP(MD). No.17819 of 2024

WEB COPY

or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate 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 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 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;



CRL OP(MD). No.17819 of 2024

(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.

sd/-
19/10/2024

/ TRUE COPY /

/11/2024

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

DSS
TO

- 1 THE JUDICIAL MAGISTRATE NO.VI
MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
MATTUTHAVANI POLICE STATION,
MATTUTHAVANI,
MADURAI.



CRL OP(MD). No.17819 of 2024

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

+1. CC to Mr.A.JOSEPH JERRY, Advocate SR.No.58914(F) DATED 21/10/2024

ORDER
IN
CRL OP(MD) No.17819 of 2024
Date :19/10/2024

SS/GSV/SAR- /21/11/2024/ 5P/6C

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