



CRL OP(MD)No.18436 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 25.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY
CRL OP(MD)No.18436 of 2024

Sasiwarnam

... Petitioner/Sole Accused

Vs

The Inspector of Police,
PEW-Sivagangai Police Station,
Sivagangai District.
Crime No.984 of 2022

... Respondent/Complainant

For Petitioner : Mr.A.Balaji, 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 Crime No.984 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence under Sections 477, 427 and 504 of iPC in Crime No.984 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner is running a liquor bar attached with TASMAL Shop No.7532 at Karaikudi, without any license. Hence, it was sealed. On 05.07.2022, the petitioner reopened the bar by breaking open the seal.

Hence, the complaint.

<https://www.mhc.tn.gov.in/judis>



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3. Heard the learned counsel on either side and perused the material records of the case.

4. Considering the nature of allegation in this case and considering the fact that though the petitioner was granted anticipatory bail in the year 2022, he neither surrendered nor the respondent Police also arrested him and even though there is fault on the petitioner, only considering the overall progress of the case, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of his 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, Karaikudi, 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 am for



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a period of two weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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.

sd/-
25/10/2024

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/11/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr



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TO

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1 THE JUDICIAL MAGISTRATE, KARAIKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE, PEW, SIVAGANGAI POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.A.BALAJI, Advocate (SR-13188[I] dated 25/10/2024)

ORDER
IN

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Date :25/10/2024

RS/JGB/SAR-(08.11.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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