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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.18434 of 2024

Ramkumar

... Petitioner/ A1

Vs

The State of Tamil Nadu,
Rep.by.The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.
Crime No.457 of 2024

... Respondent/ Complainant

For Petitioner : Mr.N.Padmaboopathi
Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION.482 OF BNSS

PRAYER :- For Anticipatory Bail in Crime No.457 of 2024 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 126(2) and 308(5) of NNS, 2023, in Crime



No.457 of 2024, seeks anticipatory bail.

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2. The case of the prosecution is that on 19.10.2024 at about 11.45 p.m., when the defacto complainant travelled in his two-wheeler, the petitioner along with the other accused waylaid him and threatened him with knife in order to rob his money. Hence, the complaint.

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 that the petitioner along with other accused is said to have waylaid the defacto complainant and attempted to rob the gold chain from him and considering the argument of the learned Counsel for the petitioner that the petitioner was not at all present in the spot and his name has been thereafter implicated by way of afterthought, 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

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



No.II, Srivilliputhur, 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 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;

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



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

sd/-
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/ /2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr

TO

1. The Judicial Magistrate No.II,
Srivilliputhur
- 2.Do Through
The Chief Judicial Magistrate No.II,
Virudhunagar.
3. The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.N.PADMA BOOPATHI, Advocate (SR-13371[I] dated 29/10/2024)

CRL OP(MD) No.18434 of 2024
Date :25/10/2024

KVL/15.11.2024 4P/6C

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