



CRL OP(MD)No.18470 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.18470 of 2024

Velsamy

... Petitioner/ Accused No. 1

Vs

The Inspector of Police,
Perunazhi Police Station,
Ramanathapuram District.
Crime No.52 of 2022

... Respondent/Complainant

For Petitioner : Mr.M.Shakul Hameed, 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.52 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 294(b) and 427 of IPC in Crime No.52 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner abused the defacto



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complainant in filthy language through his mobile phone. Hence, the complaint.

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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 that the investigation was completed and already charge sheet was filed and the case is pending in STC No.1269 of 2022, since the summons was repeatedly not served and that the petitioner had gone abroad and the Non-bailable warrant was issued, 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 District Munsif cum Judicial Magistrate, Kamuthi, Ramanathapuram District, 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;



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(b)the petitioner shall appear before the trial Court on all hearing dates without fail;

(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
TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
KAMUTHI, RAMANATHAPURAM DISTRICT.



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2 DO-THROUGH

THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE,

PERUNAZHI POLICE STATION, RAMANATHAPURAM DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.M.SHAKUL HAMEED Advocate SR.No.13215(I) dated 25/10/2024

ORDER

IN

CRL OP(MD) No.18470 of 2024

Date :25/10/2024

PSP/ GSV /SAR /25.11.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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