



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18805 of 2024

1. M. Arunkumar,

2. L. Jagatesh,

... Petitioners/ Accused No.6 & 7

Vs

The State of Tamil Nadu,
Rep.,By, the Inspector of Police,
Veeracholan Police Station,
Virudhunagar District
(Crime No. 6 of 2024).

... Respondent/Complainant

For Petitioner : M/s. Anandan.B.,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

Anticipatory Bail in Crime No. 6 of 2024 on the file of the respondent police.



ORDER : The Court made the following order :-

The petitioners/A2 to A5, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 397 IPC @ 341, 294(b), 394 and 397 IPC in Crime No.6 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 18.01.2024 the de-facto complainant and his mother went to Veeracholan Government Hospital for medical checkup through his bike bearing Registration No.TN-65-BX-0652. After completion of medical checkup, the de-facto complainant alone while returning his bike, the accused A1 to A4 came there and attacked the de-facto complainant by using hands and took away his bike. Hence, the case was registered.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they are no way connected with the alleged occurrence. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate(Crl.side) appearing for the State would submit that there is no bad antecedent against the petitioners.

5.Considering the nature of the allegation that demanding the bike this petitioners along with the other petitioners said to have attacked the de-facto complainant and only considering the fact that the petitioner do not have any other antecedents, I am inclined to enlarge the petitioners on anticipatory bail.



6. Accordingly, the Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of their arrest or their appearance, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruchuli, Virudhunagar District.

(i) the petitioners 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;

(ii) the petitioners 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;

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioners shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;



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

sd/-
29/10/2024
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/ /2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1.The Judicial Magistrate,
Thiruchuli,
Virudhunagar District.
- 2.Do Through
The Chief Judicial Magistrate,
Virudhunagar.
3. The Inspector of Police
Veeracholan Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER
IN
CRL OP(MD) No.18805 of 2024
Date :29/10/2024

KVL/23.11.2024 4P/5C

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

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