



CRL OP(MD). No.18993 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Jesu @ Jesuraja

... Petitioner / Accused No.3

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Thoothukudi Central Police Station,
Thoothukudi District.
(Crime No.232 of 2024)

... Respondent/Complainant

For Petitioner : M/s.M.Mano Kumar,
Advocate

For Respondent : Mr.Thanga Aravindh.B,
Government Advocate, (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No.232/2024 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 offences under Sections 329(4), 296(b), 308(4) and 351(3) of BNS Act,

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



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2023, in Crime No.232 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons demanded money from the defacto complainant for drinking alcohol and when the same was refused, they are said to have thrown bottles inside the shop. Hence, the case.

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

4. The learned Government Advocate (Criminal Side), on instructions, submitted that there are totally 3 accused persons in this case and the petitioner has been arrayed as A3.

5. Taking into consideration the facts and circumstances of the case and the nature of the allegations made against the accused person, the case may not require custodial interrogation and hence, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.II, Thoothukudi, 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



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the satisfaction of the respondent police or the police officer who intends to arrest or
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to the satisfaction of the said Magistrate, on further condition 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 every Friday at 5.30 p.m. for a period of 4 weeks from the date of receipt of a copy of this order and 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;

[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



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in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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[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.

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TO

1. The Judicial Magistrate No.II,
Thoothukudi.
2. Do through
The Cheif Judicial Magistrate,
Thoothukudi.
3. The Inspector of Police,
Thoothukudi Central Police Station,
Thoothukudi District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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ORDER
IN
CRL OP(MD) No.18993 of 2024
Date : 04.11.2024

SL(25.11.2024)/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.