



CRL OP(MD). No.19110 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Kolo Saipulla @ Saifulla Siddiq

2.Illi Petti @ Elyas @ Mohammed Ilyas

... Petitioners/ Accused 1 & 2

Vs

The State of Tamil Nadu

Represented by the Inspector of Police,

Melapalayam Police Station,

Tirunelveli District.

(Crime No.290 of 2024)

... Respondent/Complainant

For Petitioner : M/s.Samy.K.K

Advocate

For Respondent : Mr.A.Albert James,

Government Advocate (Criminal Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.290/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police

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for the alleged offences under Sections 303(2) of the BNS, in Crime No.290 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 21.09.2024, the petitioners had stolen the cow belonging to the defacto complainant.

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 is one previous case against the petitioners which is similar in nature. He further submitted that the involvement of the petitioners was substantiated by the availability of the CCTV footages.

5. The learned counsel for the petitioners submitted that a false case has been foisted against the petitioners and that the first petitioner is running a meat stall and he use to bring cattle for meat. There was a previous enmity between the petitioners and the defacto complainant and the same has resulted in a false complaint given against the petitioners.

6. Taking into consideration the facts and circumstances of the case and also the fact that no custodial interrogation is required in this case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of



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arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate Court-V, Tirunelveli, on condition that the petitioners 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] 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.

[b] the petitioners shall report before the respondent Police every Monday and Friday at 10.30 a.m. for a period of 4 weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 petitioners released on bail by



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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].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
06/11/2024

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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 Court-V,
Tirunelveli.
2. Do through
The Chief Judicial Magistrate,
Tirunelveli.
3. The Inspector of Police,
Melapalayam Police Station,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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ORDER
IN
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Date : 06.11.2024

SL(25.11.2024)/ 5P/ 5C

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