



CRL OP(MD). No.19166 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Karuppasamy,

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Kadamalaikundu Police Station,
Theni District.
Crime No 305 of 2024.

... Respondent/Complainant

For Petitioner : Mr.Ramachandran.R,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 305 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner/accused No.2, who apprehends arrest at the hands of the

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respondent police for the offences punishable under sections 296, 308 (4), 351(3) of BNS, 2023 in Crime No. 305 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 01.11.2024, at about 05.30 P.M., the defacto complainant was waylaid by the accused persons and a sum of Rs.2,000/- was taken away from him at knife point. There are totally three accused persons in this case and the petitioner has been arrayed as Accused No.2

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and also of the fact that there are no previous cases against the petitioner and no injury was caused to the defacto complainant and it was alleged on the side of the petitioner that there was a quarrel between the petitioner and the defacto complainant, as a result of which, a false case was foisted against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.



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5. 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, Aundipatti, Theni 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a]if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b]the petitioner shall report before the respondent police every Monday and Friday at 05.30 p.m., for a period of four weeks and thereafter, 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/-
07/11/2024

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/11/2024

Sub-Assistant Registrar (CS-I / II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG

TO

1.THE JUDICIAL MAGISTRATE, AUNDIPATTI, THENI DISTRICT,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3.THE INSPECTOR OF POLICE,
KADAMALAIKUNDU POLICE STATION,
THENI DISTRICT.

4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.RAMACHANDRAN, Advocate (SR-13822[I] dated 11/11/2024)

ORDER
IN

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Date :07/11/2024



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