



CRL OP(MD). No.19984 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.Ganesamoorthi @ Ganesh Moorthy

2.Dharun @ Tharun

... Petitioners / Accused 5 & 6

Vs

The State of Tamil Nadu
Represented by the Sub-Inspector of Police,
Kadayam Police Station,
Tenkasi District.
(Crime No.276 of 2024)

... Respondent/Complainant

For Petitioners: Mr.S.Balamurugan,
Advocate

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

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



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PRAYER :-
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For Anticipatory Bail in Crime No.276/2024 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 for the alleged offences under Sections 191(2) and 140 of the BNS, 2023 and thereafter altered into the Sections 189(3), 191(3), 61(2), 140(2), 296(b), 115(2) and 351(3) of BNS, in Crime No.276 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is running a rice mill and he is assisting his son. The son of the defacto complainant had procured paddy from A1 to the tune of Rs.98 lakhs. He had settled part of the amount. For the balance amount, since the amount was not settled, the son of the defacto complainant was abducted and he was threatened with dire consequences if the balance is not settled. There are totally 6 accused persons in this case and the petitioners have been arrayed as A5 and A6.

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



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4. Taking into consideration the facts and circumstances of the case and considering the fact that A1 to A4 were arrested in this case and there are no previous cases against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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



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[b] the petitioners shall report before the respondent Police on every Monday and Friday at 05.30 p.m. until further orders.

[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 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/-
19/11/2024

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/11/2024

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

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TO

1. THE JUDICIAL MAGISTRATE, TENKASI, TENKASI DISTRICT,

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



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2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TENKASI.

3. THE SUB-INSPECTOR OF POLICE,
KADAYAM POLICE STATION,
TENKASI DISTRICT.

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

+1 CC to M/s.S.BALAMURUGAN, Advocate (SR-14255[I] dated 20/11/2024)

ORDER
IN
CRL OP(MD) No.19984 of 2024
Date :19/11/2024

RK/ (23/11/2024) 5P / 6C

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