



CRL OP(MD). No.20014 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.20014 of 2024

Gowtham

... Petitioner / Accused No.14

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
South Police Station,
Thoothukudi District.
(Crime No.602 of 2024)

... Respondent/Complainant

For Petitioner : Mr.Indrachithu,
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.602/2024 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



CRL OP(MD). No.20014 of 2024

the alleged offences under Sections 191(2), 296(b), 115(2), 351(3), 324(4) of BNS Act and Section 3 of TNPPDL Act and Section 4 of the TNPWH Act, in Crime No.602 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 31.10.2024, the accused persons were in inebriated state and they caused ruckus in the locality. When the defacto complainant, who is an Advocate questioned the same and was capturing the incident in his mobile phone, it was damaged. There are totally 14 accused persons in this case and the petitioner has been arrayed as A14.

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

4. Taking into consideration the facts and circumstances of the case and the manner in which, the incident had taken place and the fact that there are no previous cases pending against the petitioner and also considering the fact that A5 to A7 have already been granted anticipatory bail in CrI.OP(MD).No.19522 of 2024 dated 12.11.2024, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is ordered and 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 learned Judicial Magistrate No.I, Thoothukudi, on condition that the petitioner shall



CRL OP(MD). No.20014 of 2024

execute 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 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 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.

[c] the petitioner shall report before the respondent police as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial; [f] 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 petitioner 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;



CRL OP(MD). No.20014 of 2024

[f] If the accused thereafter absconds, a fresh FIR can be registered under

WEB COPY

Section 269 of BNS, 2023.

sd/-
19/11/2024

/ TRUE COPY /

/11/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PAL
TO

1 THE JUDICIAL MAGISTRATE NO.I,
THOOTHUKUDI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE,
SOUTH POLICE STATION,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.T.INDRACHITHU, Advocate (SR-14222[I] dated 19/11/2024)



WEB COPY



CRL OP(MD). No.20014 of 2024

ORDER

IN

CRL OP(MD) No.20014 of 2024

Date :19/11/2024

SA/SAR. /25.11.2024/5P/6C

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