



CRL OP(MD). No.20458 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20458 of 2024

S.Prasanth @ Duraisami

... Petitioner/2nd Accused

Vs

The Inspector of Police,
Pettaivaithalai Police Station,
Trichy District.
Crime No. 631 of 2020

... Respondent/Complainant

For Petitioner : Mr.Karunanithi, Advocate.

For Respondent : Mr.A.Albert James, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 631 of 2020 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 respondent police for the offences punishable under section 399 of IPC in Crime No.631 of 2020 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the accused persons joined together and

<https://www.mhc.trngov.in/judis>



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were preparing to commit decoity. There are totally 5 accused persons and the petitioner has been arrayed as A2.

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

4. The learned counsel appearing for the petitioner submitted that the petitioner was granted anticipatory bail by the sessions court. However, the petitioner was detained under Act 14 of 1982 and therefore, he was not enlarged on bail. The learned counsel further submitted that a false case has been foisted against the petitioner.

5. The learned Government Advocate appearing for the respondent police submitted that there are 6 previous cases against the petitioner and accused persons were attempting to commit decoity. The learned Government Advocate vehemently opposed grant of anticipatory bail to the petitioner.

6. Taking into consideration the facts and circumstance of this case and considering the fact that FIR is of the year 2020 and the petitioner was granted anticipatory bail earlier, which was not able to be made operational due to the detention order passed against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

7. Accordingly, the petitioner is ordered to be released on anticipatory bail in



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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 District Munsif cum Judicial Magistrate, Srirangam, Trichy 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 fails 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 the learned District Munsif cum Judicial Magistrate, Srirangam, Trichy District, every Monday at 10.30 a.m., until further orders;

[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 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 269 of BNS, 2023.

sd/-
25/11/2024

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/12/2024

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

SM

TO

1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, SRIRANGAM,
TRICHY DISTRICT.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, PETTAIVAITHALAI POLICE STATION,
TRICHY DISTRICT.

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

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-14510[I] dated 26/11/2024)

ORDER
IN

CRL OP(MD) No.20458 of 2024

Date :25/11/2024

RS/VR/SAR-(05.12.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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