



CRL OP(MD). No.20711 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 02/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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Balagangatharan

... Petitioner/ Accused Rank not known

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Musiri Police Station,
Trichy, Trichy District.
(Cr.No.34 of 2024.)

... Respondent/ Complainant

For Petitioner : Mr.C.Suresh Kannan, 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 Cr.No.34 of 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 the alleged offence under Sections 147, 294(b), 427 and 506(2) IPC in Crime



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No.34 of 2024 on the file of the respondent police, seeks anticipatory bail.

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2.The case of the prosecution is that on 07.02.2024, A1 is said to have made a phone call to the defacto complainant asking him to come out of the house. After the defacto complainant came out of the house, the accused persons came to that place and they abused him in filthy language and threatened him with dire consequences. The front gate of the defacto complainant was damaged in this process.

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

4.The petitioner earlier filed a petition for anticipatory bail in Crl.O.P (MD) No. 3074 of 2024. At that time, it was informed by the respondent police that the petitioner is not arrayed as accused. Recording the same, that petition was closed by order dated 28.02.2024.

5.When the matter came up for hearing on 27.11.2024, this Court directed the respondent police to file a status report and explain as to when the petitioner was made as an accused, since earlier it was informed to the Court that the petitioner was not an accused in this case.

6.When the matter came up for hearing today, the status report of the respondent was filed. On going through the status report, it is seen that at the time



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of registration of FIR, there are three named accused persons and five unnamed accused persons. A1 and A2 were arrested in this case and later, they were enlarged on bail. When the earlier anticipatory bail petition was filed, the petitioner was not arrayed as an accused at that point of time and therefore the same was informed to this Court. Thereafter, A3 moved anticipatory bail petition before this Court and he was granted anticipatory bail. When he was reporting before the respondent police, he revealed about the presence of the petitioner at the time of incident. Thereafter, the CCTV footages were also analyzed and it was found that the petitioner is also involved in this case. Accordingly, the petitioner has been added as A4 in this case.

7.Taking into consideration of the facts and circumstances of the case and considering the fact that A1 and A2 have been enlarged on bail and A3 has been granted anticipatory bail in CrI.O.P (MD) No. 2621 of 2024 by order dated 20.02.2024 and considering the fact that there are no previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner.

8.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, Musiri, Trichy, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand



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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 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 petitioner in accordance with law as if the conditions



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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;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS Act.

sd/-
02/12/2024

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/12/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM

To

1.The Judicial Magistrate,
Musiri, Trichy District.

2.Do through the Chief Judicial Magistrate,
Trichy District.

3.The Inspector of Police,
Musiri Police Station,
Trichy, Trichy District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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+1 CC to M/s.C.SURESH KANNAN, Advocate (SR-14808[I] dated 02/12/2024)

ORDER
IN
CRL OP(MD) No.20711 of 2024
Date :02/12/2024

ED/ GSV /SAR- (11/12/2024) 6P / 6C

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