



CRL OP(MD). No.20696 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20696 of 2024

1. Duraipandi,
2. Petchidurai,
3. Muthu Sethupathi,
4. Angappan,
5. Muthuraman,
6. Esakki @ Mani,
7. Duraipandi,
8. Seenikumar,
9. Angaiah,

... Petitioners/ Accused Nos.5, 6, 7,
9, 18, 22, 23, 25, 26

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Seidunganallur Police Station,
Thoothukudi District.
In Crime No. 275/2024..

... Respondent/ Complainant



CRL OP(MD). No.20696 of 2024

WEB COPY

For Petitioners : Mr.K.Suyambulingabharathi,
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. 275 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners / Accused Nos.5, 6, 7, 9, 18, 22, 23, 25, 26, who apprehend arrest at the hands of the respondent Police, for the offences under Sections 126(2), 189(2), 296(b), 132, 351 (3) of BNS in Crime No.275 of 2024, on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that the Police was taking steps to apprehend one of the accused person, who was involved in a murder case and who was enlarged on bail by imposing certain conditions and without complying with the conditions, was attempting to participate in a temple festival to retaliate. This action taken by the Police was protested by the accused persons in this case and they sat on a dharna in Karungulam-Serakulam road on



CRL OP(MD). No.20696 of 2024

17.11.2024 at 02.00 p.m. When the Police requested them to disburse from the place, they started abusing the Police in filthy language and threatened them with dire consequences. There are totally 30 named and 50 unnamed accused persons in this case and the petitioners have been arrayed as 5, 6, 7, 9, 18, 22, 23, 25, 26.

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

4. Taking into consideration the facts and circumstances of the case and the manner in which this incident had taken place, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

5. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Srivaigundam, on condition that the petitioners shall 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:



CRL OP(MD). No.20696 of 2024

WEB COPY

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

[b] the petitioners shall report before the respondent police every Friday at 05.30 p.m. for a period of six weeks and thereafter, as and when required for interrogation;

[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 petitioners 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]; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS 2023.

sd/-
27/11/2024

/ TRUE COPY /

/12/2024

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

TSG



CRL OP(MD). No.20696 of 2024

TO

1.THE JUDICIAL MAGISTRATE NO.II,
SRIVAIGUNDAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.

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

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

+1 CC to M/s.K.SUYAMBULINGA BHARATHI, Advocate (SR-14593[I] dated 27/11/2024)

ORDER

IN

CRL OP(MD) No.20696 of 2024

Date :27/11/2024

RK/SKN (06/12/2024) 5P / 6C

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