



CRL OP(MD). No.20847 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.20847 of 2024

Vimala Husband @ Vinoth

... Petitioner / Accused No.8

Vs

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

... Respondent/Complainant

For Petitioner : Mr.R.Bala Subramanian, 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 of 2024 on the file of the respondent police.



CRL OP(MD). No.20847 of 2024

ORDER: The Court made the following order :-

WEB COPY

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 191(2), 296(b), 115(2) and 351(3) of BNS and 3 of TNPDL Act and Section 4 of TNPHW, 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 A8.

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 also considering the fact that anticipatory bail was already granted to A5, A6 and A7 in Crl.OP(MD).No.19522 of 2024 dated 12.11.2024, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.I,



CRL OP(MD). No.20847 of 2024

Thoothukudi, 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 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.

[b] the petitioner shall appear before the respondent police as and when required for interrogation.

[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].



CRL OP(MD). No.20847 of 2024

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

WEB COPY

Section 269 of BNS, 2023.

sd/-
29/11/2024

/ TRUE COPY /

/12/2024
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,
Thoothukudi South Police Station,
Thoothukudi.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL OP(MD) No.20847 of 2024
Date :29/11/2024



CRL OP(MD). No.20847 of 2024

ED/ GSV /SAR- (05/12/2024) 5P / 5C

WEB COPY

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