



CRL OP(MD). No.21045 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/12/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.21045 of 2024

Musthafa @ Syed Musthafa

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu,
The Inspector of Police,
Palakkarai Police Station,
Trichy City.
Crime No.582/2024..

... Respondent/Complainant

For Petitioner : Mr.M.Suresh, Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.582/2024 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 309(4), 311 of BNS Act, 2015 in Crime



CRL OP(MD). No.21045 of 2024

No.582 of 2024 on the file of the respondent police, seeks anticipatory bail.

WEB COPY

2.The case of the prosecution is that on 14.10.2024 at about 07.00p.m., the defacto complainant is said to have come near the Railway Station Canteen and at that time, the accused persons demanded money from the defacto complainant and when it was refused, they abused in filthy language and threatened with dire consequences. There are totally three accused persons in this case and the petitioner has been arrayed as A3.

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

4.The learned Government Advocate (Crl.Side) submitted that there are nine previous cases against the petitioner and that the petitioner is a history sheeter, who is repeatedly involved in commission of offence.

5.The learned counsel for the petitioner submitted that in the instant case the respondent police is registering FIR one after the other and false cases are being foisted against the petitioner.

6.Taking into consideration of the facts and circumstances of the case and considering the fact that there are previous cases against the petitioner and the respondent police have registered FIR against the petitioner for one incident on 14.11.2024 and another incident on 09.11.2024 and considering the fact that other



CRL OP(MD). No.21045 of 2024

WEB COPY

persons have been enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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.V, Trichy, 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 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 learned Judicial Magistrate No.V, Trichy daily at 10.30a.m., except on those days where the petitioner has to attend the other Courts in the pending cases.

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



CRL OP(MD). No.21045 of 2024

investigation or trial;

WEB COPY

[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 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

/ TRUE COPY /

/ 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
NO.V, TRICHY.

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



CRL OP(MD). No.21045 of 2024

3. THE INSPECTOR OF POLICE,
PALAKKARAI POLICE STATION,
TRICHY CITY.

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

ORDER
IN
CRL OP(MD) No.21045 of 2024
Date :02/12/2024

PSP/ VR /SAR /11.12.2024/ 5P/ 5C

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