



CRL OP(MD). No.22105 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13.12.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Mariselvam @ Salman

... Petitioner / Accused
(Rank Not Assigned)

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Tirunelveli Taluk Police Station,
Tirunelveli.
(Crime No.529 of 2024)

... Respondent/Complainant

For Petitioner : Mr.M.Sankar,
Advocate

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 529 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 offences under Sections 191(2), 191(3), 192, 352, 296(b), 285, 132, 109(1),



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351(3) of BNS, 2023 and 25(1A) and 25(1B)(a) of Arms Act, 1959 and Section 4(a) and 5 of Explosive Substances Act, 1908, in Crime No.529 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 16.10.2024, nearly 15 accused persons were travelling in four wheeler. They were intercepted and at that point of time, A1 gave a gun to A2 and A2 attempted to shoot the police officials in order to prevent them from conducting a search. All the accused persons were apprehend and they were found in possession of country gun, country bombs and other deadly weapons including a country made pistol. There are totally 17 accused persons in this case and the petitioner has been arrayed as A17.

3. The learned Government Advocate submitted that this petitioner was arrayed as an accused based on the confession of A2. He further submitted that there are 7 previous cases against the petitioner.

4. Heard the learned counsel on either side and perused the material records of the case.

5. The learned counsel for the petitioner submitted that a false case has been foisted against the petitioner and the petitioner was not even in the scene of occurrence and only based on the confession of a co-accused, this petitioner has been roped as an accused.



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6. Taking into consideration the facts and circumstances of the case and considering the manner in which the prosecution has projected this case and taking note of the fact that this petitioner has been arrayed as an accused only based on the confession of A2 and taking note of the fact that there are 7 previous cases against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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.III, Tirunelveli 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 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 report before the learned Judicial Magistrate-III, Tirunelveli daily at 10.30 a.m. for a period of 3 weeks and thereafter, appear before



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the respondent police as and when required.

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[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].

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

sd/-
13/12/2024

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

PAL

TO

1 THE JUDICIAL MAGISTRATE
NO III, TIRUNELVELI DISTRICT.

<https://www.mhc.tn.gov.in/judis>



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2. DO-THROUGH

THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
TIRUNELVELI TALUK P.S.,
TIRUNELVELI.

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

+1 CC to M/s.M.SANKAR, Advocate (SR-15445[I] dated 16/12/2024)

ORDER
IN

CRL OP(MD) No.22105 of 2024

Date :13/12/2024

PSP/ SKN /SAR /20.12.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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