



CRL OP(MD). No.22931 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/12/2024

PRESENT

The HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No.22931 of 2024

Akash @ Saranmoorthy

... Petitioner/ Accused No.2

Vs.

The State of Tamilnadu,
Rep by the Inspector of Police,
Ammapettai Police Station,
Thanjavur District.
Crime No.730 of 2024

... Respondent/ Complainant

For Petitioner : M/s.Maheswaran.R,
For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.730 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/accused No.2, who apprehends arrest at the hands of the



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respondent for the offences punishable under sections 296(b), 131, 132, 324(2), 351(2) of BNS Act, 2023 in Crime No.730 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the Conductor in TNSTC, Pudukottai Branch. While he was on duty, he asked the petitioner, who was in drunken mood, to get inside the bus. He abused the defacto complainant with filthy language and threatened him with dire consequences. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he was falsely implicated in this case. He has not committed any offence as alleged by the prosecution. The petitioner is no way connected in this case.

4. The learned Government Advocate (Crl. Side) submits that the defacto complainant is a Conductor and there was a wordy altercation between the petitioner and the defacto complaint while travelling in the bus and the petitioner is having no previous case. However, he strongly objected for grant of anticipatory bail to the petitioner.



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5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side, considering the nature of offences charged against the petitioner, considering the fact the petitioner has no previous cases pending against him, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to 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 District Munsif cum Judicial Magistrate Court, Papanasam, and on further conditions that:

[b] the petitioner shall report before the respondent police on all Saturdays at 10.00 a.m for a period of four weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not commit any offences of similar nature.

[d] the petitioner shall not abscond either during investigation or trial.



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[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

sd/-
27/12/2024

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/01/2025

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

MKN/CM

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, PAPANASAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.



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3 THE INSPECTOR OF POLICE,
AMMAPETTAI POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER
IN
CRL OP(MD) No.22931 of 2024
Date :27/12/2024

SS/SKN/SAR- /02/01/2025/ 5P/5C

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