



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.314 of 2025

Udhayakumar @ Oyya

... Petitioner / Accused No.3

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.
(Crime No.459 of 2024)

... Respondent/Complainant

For Petitioner : Mr.P.Pratheesh
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. 459 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 Section 25(1A) of Arms Act in Crime No.459 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on on 02.12.2024 at about 10.45 hrs, the Police Team found the accused persons roaming around in a public place with deadly weapons. There are totally three accused persons in this case and the petitioner has been arrayed as A3.

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 considering the fact that there are nine previous cases pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



WEB COPY

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.II, Sivakasi, Virudhunagar 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 Judicial Magistrate No.2, Sivakasi, Virudhunagar on every Monday and Friday at 10.30.a.m., for a period of six weeks and thereafter as and when required for interrogation.

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



WEB COPY

[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/-
08/01/2025

/ TRUE COPY /

/02/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SMA



To
WEB COPY

- 1 THE JUDICIAL MAGISTRATE NO.II,
SIVAKASI, VIRUDHUNAGAR DISTRICT.
- 2 DO -THROUGH- THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE,
THIRUTHANGAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.PRATHEESH, Advocate (SR-388[I] dated 10/01/2025)

ORDER
IN
CRL OP(MD) No.314 of 2025
Date :08/01/2025

ES/SKN/SAR /03.02.2025/ 5P/6C

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