



CRL OP(MD). No.927 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.01.2025

PRESENT

The Hon`ble Ms.Justice R.POORNIMA

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Mohamed Halith

... Petitioner/ Accused Rank Unknown

Vs

The State of Tamil Nadu
Represented by the Sub-Inspector of Police,
Mathichiyam Police Station,
Madurai, Tamil Nadu.
(Crime No.456 of 2024)

... Respondent/Complainant

For Petitioner: Mr.M.Bazeerdeen,
Advocate

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :- For Anticipatory Bail in Crime No.456/2024 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



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the alleged offences under Sections 310(4) of BNS, 2023, in Crime No.456 of 2024 dated 17.11.2024 on the file of the respondent police, seeks anticipatory bail.

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2. The case of the prosecution is that on 17.11.2024, while the respondent/complainant is on duty, received secret information that seven accused have planned to rob from the persons walking in the streets. When the respondent Police tried to arrest the accused, they escaped from that place. The respondent Police arrested only the accused Nos.2, 3 and 6. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner was not available in the place of occurrence and only on suspicion, he was arrayed as accused in this case. Hence, the learned counsel prays for grant of anticipatory bail.

4. The learned Additional Public Prosecutor appearing for the respondent Police submitted that the accused persons attempted to commit robbery. Some accused were arrested in the place of occurrence and two knives and a wooden log were recovered from them. However, it is stated that none has been injured and no robbery has been committed. It is also stated that no previous case is pending against the petitioner herein.

5. Heard the learned counsels on either side and perused the material records of the case.

6. Taking into consideration the facts and circumstances of the case and



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considering the fact that there are no 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 Court-II, Madurai, 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 respondent police on every Monday at 10.30 a.m. for a period of 4 weeks and thereafter, as and when required.

[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



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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/-
17/01/2025

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/01/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LM/NSR

TO

1 THE JUDICIAL MAGISTRATE NO.II,
MADURAI.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI DISTRICT.

3 THE SUB-INSPECTOR OF POLICE,
MATHICHIYAM POLICE STATION,
MADURAI, TAMIL NADU.

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



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ORDER
IN
CRL OP(MD) No.927 of 2025
Date :17/01/2025

SA/SAR. /17.01.2025/5P/5C

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