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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22.01.2025

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.941 of 2025

Shanthi

... Petitioner / Accused No.1

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Karur Town Police Station,
Karur District.
(Crime No.29 of 2025)

... Respondent/Complainant

For Petitioner : Mr.R.Gandhi, Senior Counsel
for Mr.J.Senthil Kumaraiah,
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. 29 of 2025 on the file of the respondent police.



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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 336(3), 337, 339, 340 and 61 of BNS, in Crime No.29 of 2025 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was serving as a panchayat president. A decision was taken by the Government to amalgamate Andankovil East Panchayat with Karur Corporation. This decision is said to have been supported by the panchayat by passing a resolution dated 09.09.2021. The tenure of the petitioner came to an end on 05.01.2025. The petitioner also submitted all the relevant records to the Block Development Officer at the time of handing over the charge. On scrutinizing the same, it came to light that a resolution has been fabricated as if the merger was opposed by the panchayat by resolution dated 30.08.2024. There is one named accused and others involved in this case.

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



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4. Taking into consideration the facts and circumstances of the case and considering the nature of allegations that have been made in this case and also considering the fact that the entire case is borne out by records, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.I, Karur, 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 appear before 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/-
22/01/2025

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

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TO
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- 1 THE JUDICIAL MAGISTRATE NO.1,
KARUR.
- 2 DO- THROUGH -THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.
- 3 THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION,
KARUR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.J.SENTHIL KUMARAIAH, Advocate (SR-640[I] dated 22/01/2025)

ORDER IN
CRL OP(MD) No.941 of 2025
Date :22/01/2025

ES/SKN/SAR /31.01.2025/ 5P/6C

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