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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

[Criminal Jurisdiction]

Date : 30.01.2025

PRESENT

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.1911 of 2025

Mariappan

... Petitioner/ A5

Vs

State of Tamil Nadu
represented by
The Inspector of Police,
V.K.Puram Police Station,
Tirunelveli District.
(Crime No.756 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.S.Kasirajan,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS.

PRAYER :-

For Anticipatory Bail in Crime No.756 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), 126(2), 296(b), 109, 115(2), 308(4), 351(3) of BNS, in Crime No.756 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the de facto complainant is an auto driver and while he was walking near a TASMACH shop, the accused persons are said to have blocked him and attacked him and taken away a sum of Rs.1,500/-. There are 5 accused persons in this case. The petitioner has been arrayed as A5. A1 and A4 have been arrested in this case.

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 manner in which the prosecution has projected the case against the petitioner and taking note of the fact that on the very next day, yet another FIR in



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Crime No.758 of 2024 was registered and also considering the fact that the petitioner is a college-going student, and also taking note of the fact that there are 3 previous cases against the petitioner, 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Ambasamuthiram, 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 Saturday at 10:30 a.m. for a period of 6 weeks and thereafter, as and when required for interrogation.



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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/-
30/01/2025

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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

1 THE JUDICIAL MAGISTRATE,
AMBASAMUTHIRAM



2. DO-THROUGH- THE CHIEF JUDICIAL MAGISTRATE
WEB COPY TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,
V.K. PURAM POLICE STATION,
THIRUNELVELI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.1911 of 2025
Date :30/01/2025

ES/SKN/SAR/13.02.2025/5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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