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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

[Criminal Jurisdiction]

Date : 31.01.2025

PRESENT

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD)No.2090 of 2025

1.M.Gandhi Mallar

2.Thenmalai Thenkumaran

... Petitioners/ A1 & Rank Not Known

Vs

State of Tamil Nadu
represented by
The Inspector of Police,
SIPCOT Police Station,
Thoothukudi District.
(Crime No.29 of 2025)

... Respondent/ Complainant

For Petitioners : Mr.A.D.Ganeshamoorthy,
Advocate

For Respondent : Mr.A.Albert James,
Government Advocate
(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS.



WJ PRAYER:-

For Anticipatory Bail in Crime No.29 of 2025 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Section 351(2) of BNS, 2023, in Crime No.29 of 2025 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a previous case, which was pending investigation in Crime No.184 of 2024 against the petitioners. The petitioners are said to have threatened the de facto complainant to withdraw the previous case. The petitioners have been arrayed as A1 and A2.

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 nature of allegation made against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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5. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.III, Thoothukudi, Thoothukudi District, on condition that the petitioners 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 petitioners 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 petitioners shall appear before the respondent Police as and when required for interrogation.

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

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



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[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 petitioners 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/-
31/01/2025

/ TRUE COPY /

/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 NO.III
THOOTHUKUDI, THOOTHUKUDI DISTRICT.
- 2 DO-THROUGH-THE CHIEF JUDICIAL MAGISTRATE
THOOTHUKUDI DISTRICT.
- 3 THE INSPECTOR OF POLICE,
SIPCOT POLICE STATION,
THOOTHUKUDI DISTRICT



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

+1 CC to M/s.A.D.GANESA MOORTHY, Advocate (SR-1287[I] dated 31/01/2025)

ORDER
IN
CRL OP(MD) No.2090 of 2025
Date :31/01/2025

ES/SKN/SAR/18.02.2025/5P/6C

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