



CRL OP(MD). No.2223 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.02.2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.2223 of 2025

1.Nijamudeen
2.Syed Abudagir

... Petitioners/ Accused (Rank not known)

Vs

The Inspector of Police,
Palani Town Police Station,
Dindigul District.
Crime No.32 of 2025

... Respondent/Complainant

For Petitioners : Mr.T.Ramasamy
For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.32 of 2025 on the file of the respondent Police.

ORDER : The Court made the following order :-

This Criminal Original Petition has been filed by the petitioners on 31.01.2025 under Section 482 of Bharatiya Nagarik Suraksha Sanhita (BNSS) praying to grant an order of pre-arrest bail.



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2. The petitioners apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 191(2), 296(b), 115(2) and 351(2) of Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.32 of 2025 on the file of the respondent police.

3. The case of the prosecution is that the petitioners unlawfully assembled before the Anbu Hospital, shouted Slogans against the Hospital and abused the Hospital staffs in filthy language. Hence, the case.

4. Mr.T.Ramasamy, learned counsel appearing for the petitioners submits that the petitioners were arrayed as accused falsely. The petitioners did not commit any offence. He further submits that the co-accused nos.1, 3 and 4 were granted pre-arrest bail by this Court. Hence, he prays for grant of pre-arrest bail to the petitioners.

5. Per contra, Mr.K.Sanjai Gandhi, learned Government Advocate (Crl.Side) appearing for the respondent Police, submits that there are totally six accused persons in this case. The petitioners were arrayed as accused nos.5 and 6. No one has sustained injury in this case. Accordingly, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. The co-accused nos.1, 3 and 4 were granted pre-arrest bail by this Court.



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Considering the nature of the offences alleged against the petitioners, this Court is inclined to grant an order of pre-arrest bail to the petitioners subject to the following conditions:

(i) The petitioners shall be released on bail in the event of their arrest or in the event of their surrender before the learned Judicial Magistrate, Palani, within a period of 15 days from the date on which the order copy is made ready, on executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each along with two sureties each for a like sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) to the satisfaction of the learned Judicial Magistrate, Palani.

(ii) Thereafter, the petitioners shall appear and sign before the respondent-Police daily at 10.30 a.m. from 17.02.2025 till 07.03.2025.

(iii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate shall obtain a copy of any one of identity proofs to ensure their identity;

(iv) The petitioners shall furnish their residential address and mobile number to the learned Judicial Magistrate, Palani.

(v) The petitioners shall not, directly or indirectly, cause any threat to the defacto complainant and witnesses and shall not tamper the evidence;



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(vi) On breach of any of the aforementioned conditions, concerned Magistrate, or Trial Court as the case may be, is entitled to pass appropriate orders against the petitioners in accordance with law as if the aforementioned conditions are imposed by them as laid down by the Hon-ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
05/02/2025

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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,
PALANI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
PALANI TOWN POLICE STATION,
DINDIGUL DISTRICT.

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



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ORDER

IN

CRL OP(MD) No.2223 of 2025

Date :05/02/2025

RS/SKN/SAR-(18.02.2025) 5P 5C

Madurai Bench of Madras High Court is issuing
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