



CRL OP(MD). No.22638 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/01/2025

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.22638 of 2024

1. Felix Gerald

2. Mr Kalanjiyam

... Petitioners/ Accused

Vs

The State of Tamilnadu,
Rep. By, the Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar.
(In Crime No.610/2024).

... Respondent/Complainant

For Petitioners : Mr.J.Sivanandaraaj, Senior Counsel
for Mr.M.dinesh Hari Sudarsan, Advocate

For Respondent : Mr.S.Ravi,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.610 of 2024 on the file of the respondent Police.



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ORDER: The Court made the following order :-

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The petitioners / Accused, who apprehend arrest at the hands of the respondent Police for the offence under Sections 192, 352, 353(1)(b), 353(1)(c) and 353(2) of BNS, 2023 in Crime No.610 of 2024 on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that Accused No.1 had given a speech and based on the same, a debate was conducted by Accused Nos.2 and 3 about the participation of certain priests in a pooja performed in the residence of a political functionary. According to the defacto complainant, certain scandalous and scurrilous remarks were made by Accused No.1 and Accused Nos.2 and 3, had debated about the same.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and considering the fact that the recording is already available in with the Police and no useful purpose will be served in subjecting the petitioners to custodial interrogation, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.



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5. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.II, Srivilliputhur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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 said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioners shall report 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;

[e] on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners 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]; and;



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[f] if the accused thereafter absconds, a fresh FIR can be registered under
Section 269 of BNS, 2023.

sd/-
03/01/2025

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

TSG

To

1.The Judicial Magistrate No.II,
Srivilliputhur.

2.Do through the Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.

3.The Inspector of Police,
Srivilliputhur Town Police Station,
Virudhunagar.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.DINESH HARI SUDARSAN, Advocate (SR-37[I] dated
03/01/2025)

ORDER
IN
CRL OP(MD) No.22638 of 2024
Date :03/01/2025



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ED/ GSV /SAR- (17/01/2025) 5P / 6C

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