



CRL OP(MD). No.9895 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/07/2024

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL OP(MD). No.9895 of 2024

1. P.Nagendran

2. P.Sethuraman

3. R.Natrayan

... Petitioners/ Accused

Vs

The Inspector of Police,
Vilampatti Police Station,
Dindigul District.
(Crime No.144/2024.)

... Respondent/ Complainant

For Petitioners : M/s.R.Sevugaraja,
Advocate

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.144/2024 on the file of the respondent police.

ORDER : The Court made the following order :-



CRL OP(MD). No.9895 of 2024

WEB COPY

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections (*) 296(b), 115(2), 118(1), 351(3) and 303(2), BNS, 2023 and Section 4 of TNPHW Act, 2002 (Sections 294(b), 321, 323, 324, 503 and 354 of IPC), in Crime No.144 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to civil dispute between the parties, on 01.07.2024 at about 10.00 a.m, the petitioners said to have abused the defacto complainant and his family in filthy language and assaulted them and caused injury. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He would further submit that the injured was discharged from the hospital. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate(Crl.Side) would submit that the injured was discharge from the hospital. But, however, A2is having 2 previous cases and the investigation is still pending. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant



CRL OP(MD). No.9895 of 2024

anticipatory bail to the petitioners with certain conditions.

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6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Nilakkottai, 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 learned Magistrate concerned and on further conditions 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 report before the respondent police daily at 10.30 am for a period of two weeks and thereafter 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 petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble



CRL OP(MD). No.9895 of 2024

Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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(f)if the accused thereafter abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
11/07/2024

(*)(Corrected as per order of this Hon'ble Court in
CRL OP(MD).9895/2024 dated 02/08/2024)

/ TRUE COPY /

/08/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

To

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON
23/07/2024

1.THE JUDICIAL MAGISTRATE, NILAKKOTTAI.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3.THE INSPECTOR OF POLICE,
VILAMPATTI POLICE STATION, DINDIGUL DISTRICT.

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



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CRL OP(MD). No.9895 of 2024

ORDER

IN

CRL OP(MD) No.9895 of 2024

Date :11/07/2024

ED/ JGB /SAR- (19/07/2024) 5P / 5C

RS/ JGB /SAR- (09/08/2024) 5P / 5C

Madurai Bench of Madras High Court is issuing
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