



CRL OP(MD)No.10197 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 10.07.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL OP(MD)No.10197 of 2024

1.Thirukumaran
2.Balamurugan
3.Murali @ Muralidharan

... Petitioners/ Accused No.1 to 3

Vs

The Inspector of Police,
Kadaladi Police Station,
Ramanathapuram District.
(Crime No.73 of 2024)

... Respondent/ Complainant

For Petitioners : Mr.M.Sakthi Sriram, Advocate
For Respondent : Mr.P.Kottaichamy,
Government Advocate(Crl.side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.73/2024 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 punishable under Sections 296(b), 126(2), 121(1) and 351(3) BNS in Cr.No.73 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel between the



CRL OP(MD)No.10197 of 2024

petitioners and one Karumuthu Ramanathan. The defacto complainant, who is working as Head Constable in the respondent Police station, questioned about the same. At that time, the petitioners abused the defacto complainant in filthy language, threatened him with dire consequences and also attacked him.

3.The learned counsel appearing for the petitioners submits that the petitioners are innocents persons and they did not commit any offence as alleged by the prosecution. He further submits that the first petitioner is working in Army and a false case has been foisted as against the petitioners.

4.The learned Government Advocate(Crl.side) appearing for the respondent Police opposes to grant anticipatory bail to the petitioners on the ground that the first petitioner is having one previous case and the second petitioner is having five previous cases. However, he fairly submits that there is no previous case pending as against the third respondent and no one injured in the occurrence.

5.Considering the facts and circumstances of the case and considering the antecedents of the second petitioner, this Court is not inclined to grant anticipatory bail to the second petitioner. Accordingly, this criminal original petition is dismissed as against the second petitioner.

6.Considering the fact that the first petitioner is working in Indian Army and that there is no previous case pending against the third petitioner, this Court is



CRL OP(MD)No.10197 of 2024

inclined to grant anticipatory bail to the 1st & 3rd petitioners.

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7. Accordingly, this criminal original petition is partly-allowed and the 1st & 3rd petitioners are ordered to be released on 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, Kadaladi on condition that the 1st & 3rd petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Kadaladi and on further conditions that:

- i. The 1st & 3rd petitioners and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- ii. The 1st & 3rd petitioners shall appear before the respondent police daily at 10.30 am until further orders. They have to co-operate for the investigation.
- iii. The 1st & 3rd petitioners shall not misuse the liberty granted to them by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioners shall be available for the trial as well.
- iv. On violation of any of the above conditions by the 1st & 3rd petitioners, the



CRL OP(MD)No.10197 of 2024

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respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
10/07/2024

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/07/2024

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

gns

TO

- 1 THE JUDICIAL MAGISTRATE, KADALADI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
- 3 THE INSPECTOR OF POLICE, KADALADI POLICE STATION,
RAMANATHAPURAM DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL OP(MD) No.10197 of 2024
Date :10/07/2024

RS/VR/SAR-(23.07.2024) 4P 5C
Madurai Bench of Madras High Court is issuing
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