



WEB COPY

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.10306 of 2024

Ramamoorthy,
(*)S/o.Subramanian,
144, Kunnarampatti,
Madurai 625 101.

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Kottampatti Police Station,
Madurai District,
Crime No.193/2024.

... Respondent/ Complainant

For Petitioner : Mr.Vivek Bharathi M., Advocate.
For Respondent : Mr.R.M.Anbunithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-For Anticipatory Bail in Crime No.193/2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 341, 294(b), 323, 324, 307,

<https://www.mhc.tn.gov.in/judis>



365 and 506(ii) IPC in Cr.No.193 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that due to previous motive, the petitioner herein had wrongfully restrained the defacto complainant and abused him in filthy language and also attacked him with woodenlog, Aruval and iron pipe. Hence, the complaint.

3. The learned counsel for the petitioner the petitioner is innocent and he has not committed any offence as alleged by the prosecution and his name has been falsely implicated in this case and prays for granting anticipatory bail.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that the injured discharged from the hospital and he is having one previous case. He would further submit that investigation of the case is pending and hence,prays for dismissal of this petition.

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 anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Melur on condition that the petitioner 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



to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioner 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 petitioner shall report before the Natham police Station daily at 10.30 am until further orders.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner 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 petitioner 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;



(f)if the accused thereafter absconds, a fresh FIR can be registered under

Section 229-A IPC.

sd/-

11/07/2024

(*)Corrected as per the order of this Court dated
25.07.2024 in CrI.OP(MD)No.10306 of 2024.

The time limit is extended by two weeks from the date
of receipt of a copy of the fresh order.

/ TRUE COPY /

/08/2024

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

TRP

TO

1 THE JUDICIAL MAGISTRATE, MELUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, KARUR DISTRICT.

3 THE INSPECTOR OF POLICE
KOTTAMPATTI POLICE STATION,
MADURAI DISTRICT,

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

COPY TO:

THE INSPECTOR OF POLICE
NATHAM POLICE STATION,
DINDIGUL DISTRICT,

+1. CC to VIVEK BHARATHI M. Advocate SR.No.8703



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ORDER
IN

CRL OP(MD) No.10306 of 2024

Date :11/07/2024

MK/MGA/23.08.2024 5P 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023