



CRL OP(MD). No.10363 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/07/2024

PRESENT

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

CRL OP(MD). No.10363 of 2024

1. G Kannan,

2. Ganesa Pandiyan,

3. Mahendran @ Karumalaidurai,

4. Rajiv Gandhi,

5. Ajaykaran,

6. Vasantha,

... Petitioners/ Accused No.1 to 6

Vs

The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
Crime No. 102 of 2024.

... Respondent/ Complainant

For Petitioner : M/s. Ezhilarasu.C,Advocate.

For Respondent : Mr.R.M.Anbunithi,

Additional Public Prosecutor



CRL OP(MD). No.10363 of 2024

WEB COPY

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 102 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 to A6, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 189(2), 296(b), 115(2), 351(2) BNS and Section 4 of TNPHW Act of, in Crime No.102 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the father-in-law of the first petitioner. Due to difference of opinion, the first petitioner and the daughter of the defacto complainant got separated. On 05.07.2024, at about 04.00 p.m, the petitioners are said to trespassed into house of the defacto complainant and abused the daughter of the defacto complainant. When the same was questioned by the defacto complainant, they abused him and his family members in filthy language and attacked them with wooden log and caused injuries to them. 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 were discharged from the hospital. Hence, he

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



CRL OP(MD). No.10363 of 2024

prays for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit in the above said occurrence, 4 persons have sustained simple injuries and 1 person has sustained grievous injuries. However, he fairly conceded that all the injured persons were discharged from the hospital and no previous case is pending against them.

5.Considering the facts and circumstances of the case and also considering the fact that the injured were discharged from the hospital and no bad antecedent is reported against the petitioner, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 learned Judicial Magistrate, Kamuthi, 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



CRL OP(MD). No.10363 of 2024

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

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

sd/-
12/07/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS
TO

1 THE JUDICIAL MAGISTRATE
KAMUTHI.



CRL OP(MD). No.10363 of 2024

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.

3 THE INSPECTOR OF POLICE
ABIRAMAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1 CC to M/s.C.EZHILARASU, Advocate (SR-7882[I] dated 12/07/2024)

ORDER
IN

CRL OP(MD) No.10363 of 2024
Date :12/07/2024

PKP/JGB/SAR /19.07.2024/ 5P/ 6C

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