



CRL OP(MD). No.10519 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1.Jeyamoorthy
2.Chinna Manikandan
3.Shanmugam
4.Jeyapal
5.Prakash

... Petitioners/ Accused
8, 9, 11, 12 & 15

Vs.

The Inspector of Police,
Melur Police Station,
Madurai City,
Cr.No.304 of 2024.

... Respondent/Complainant

Selvalakshmi

... Petitioner / Intervener
in Crl.M.P.(MD).No.7707 of 2024

For petitioners : Mr.M.Kannan, Advocate.

For Respondent : Mr.R.M.Anbunithi,

Additional Public Prosecutor

For intervenor : Mr.S.Ahmed Buhari Wasim Askar

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory bail in Crime No.304 of 2024 on the file of the respondent
police.

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



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ORDER : The Court made the following order :-

The petitioners / Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 452, 294(b), 323, 324, 307 and 506 (ii) I.P.C. and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in crime No.304 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to property between the parties, the petitioners and other accused abused the defacto complainant in filthy language and also assaulted her and caused injuries.

3. The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He would further submit that the injured was discharged from the hospital. Hence, he prays for grant of anticipatory bail to the petitioners.

4. On the other hand, the learned Public Prosecutor would submit that the injured was discharged from the hospital and co-accused are already arrested and released on bail. But, however, the investigation is pending. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5. The learned counsel for the intervenor / defacto complainant submits that the accused were attacked the petitioner and his husband and therefore, they got



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injuries and prayed the petition to be dismissed.

6. Considering the fact that the injured were discharged from the hospital and the arrested accused are already released on bail and considering the overall facts and circumstances of the case, I am inclined to enlarge the petitioners on anticipatory bail.

7. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, on executing 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 Judicial Magistrate, Melur, Madurai District.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioners shall report before the respondent Police, daily at 10.30 am for a period of eight weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(iii)the petitioners shall not tamper with evidence or witness;

iv)the petitioners shall not abscond during trial.

v)On breach of any of the aforesaid conditions, the learned Magistrate/Trial



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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].

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

sd/-
05/08/2024

/ TRUE COPY /

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

LS

TO

1 THE JUDICIAL MAGISTRATE
MELUR, MADURAI DISTRICT

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT

3 THE INSPECTOR OF POLICE
MELUR POLICE STATION, MADURAI CITY,

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



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+1 CC to M/s.M.KANNAN, Advocate (SR-9500[I] dated 06/08/2024)

ORDER
IN

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Date :05/08/2024

PSP/JGB/SAR /16.08.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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