



CRL OP(MD)No.10485 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 22.07.2024

PRESENT

The Hon`ble MR.JUSTICE AA.NAKKIRAN

CRL OP(MD)No.10485 of 2024

Rajeshwaran @ Rajesh Kumar

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
(Crime No.104 of 2024)

... Respondent/complainant

For Petitioner : Mr.M.Mathan Kumar, Advocate

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate(Crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.104 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 296(b), 115(2) and 351(2) BNS and



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Section 4 of the Tamilnadu Prohibition of Harassment of Women Act in Cr.No.104 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to land dispute, the petitioner abused the defacto complainant in filthy language and also attacked her. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate(Crl.side) for the respondent submits that the injured person has already been discharged from the hospital.

5.Considering the facts and circumstances of this case and also considering that the injured person has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a



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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 petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand) 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 respondent police daily at 10.00 am., for a period of two weeks and thereafter, as and when required;

(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;



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(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/-
22/07/2024

/ TRUE COPY /

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

gns

TO

1.THE JUDICIAL MAGISTRATE, KAMUTHI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

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



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

ORDER
IN
CRL OP(MD) No.10485 of 2024
Date :22/07/2024

RK/GS(02/08/2024) 5P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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