



CRL OP(MD). No.10678 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 18/07/2024

PRESENT

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

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1. Deva Vinayagam

2. Karuppasamay

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Vasudevanallur Police Station,
Tenkasi District.
(Crime No.151 of 2024.)

... Respondent/Complainant

For Petitioners : M/s.K. Prabhu, Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.151 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A2 & A2, who apprehend arrest at the hands of the respondent



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police for the offences punishable under Sections 296(b), 118(1), 351(3) of BNS, 2023, in Crime No.151 of 2024, seek anticipatory bail.

2.The case of the prosecution is that when the defacto complainant sent to switch off the motor in his agricultural field, he found that the petitioners along with 5 others involved in installing pipelines in his agricultural field. When the same was questioned by the defacto complainant, the petitioners said to have abused the defacto complainant in filthy language and assaulted him and caused injuries. 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 it is a case and case in counter and the injured was discharged from the hospital. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) would submit that the investigation is still pending. The first petitioner is having 3 previous case and the second petitioner is having 1 previous case. However, he fairly conceded that it is a case and case in counter and the injured was discharge from the hospital.

5.Considering the facts and circumstances of the case and also considering the facts that it is a case and case in counter and the injured was discharged from the



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hospital, 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 District Munsif Cum Judicial Magistrate Court, Sivagiri, Tenkasi District, 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 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



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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/-
18/07/2024

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

DSS

To

1.The District Munsif cum Judicial Magistrate,
Sivagiri, Tenkasi District.

2.Do through the Chief Judicial Magistrate,
Tirunelveli District.

3.The Inspector of Police,
Vasudevanallur Police Station,
Tenkasi District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K.PRABHU, Advocate (SR-8076[I] dated 18/07/2024)



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ORDER
IN
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Date :18/07/2024

ED/ VR /SAR- (26/07/2024) 5P / 6C

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