



CRL OP(MD)No.10737 of 2024

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

Date : 22.07.2024

PRESENT

The Hon`ble MR.JUSTICE AA.NAKKIRAN

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M.Balaguru

... Petitioner / Accused No.8

Vs

The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
(Crime No.162 of 2023)

... Respondent / Complainant

For Petitioner : Mr.P.Banu Prasath, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.162 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 147, 294(b), 448, 427, 323, 506(i),



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354B IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Cr.No.162 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant lodged a complaint as against one Aathimuthamilselvam. Therefore, the petitioner and other accused unlawfully assembled in front of the defacto complainant's house, damaged her household articles, abused her in filthy language and also threatened her with dire consequences. 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 investigation in this case has been completed and final report has also been filed, which was taken on file in C.C.No.174 of 2024 by the learned Judicial Magistrate, Kamuthi.

5.Considering the facts and circumstances of this case and also considering that investigation completed and charge sheet filed, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and the petitioner is



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ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Kamuthi, Ramanathapuram District 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 learned Judicial Magistrate, Kamuthi for all hearing dates, without fail;

(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



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

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

sd/-
22/07/2024

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

GNS

To

1.The Judicial Magistrate,
Kamuthi,
Ramanathapuram District.

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.P.BANU PRASATH, Advocate (SR-8252[I] dated 22/07/2024)



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ORDER

IN

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Date :22/07/2024

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

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