



CRL OP(MD). No.10887 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/07/2024

PRESENT

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

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1. S.Prabhahar Albert @ Prabakaran Albert,

2. Arunadu Jerom Arulandu @ Gerald,

... Petitioners/ Accused 1 & 2

Vs

The Inspector of Police,
Sessions Court Police Station,
Tiruchirappalli District.
Crime No. 262 of 2024.

... Respondent/Complainant

For Petitioner : M/s. Kishore Ram.K.R,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of B.N.N.S.

PRAYER :- For Anticipatory Bail in Crime No. 262 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 and A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b) and 115(2) of BNS 2023 and Section 4 of TNPHW Act in Crime No.262 of 2024 on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that due to previous enmity, the petitioners slapped and punched the defacto complainant. 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. Hence, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent police strongly opposed this petition, however, he would submit that in this case, the injured has already been discharged from the hospital.

5. Considering the facts and circumstances of the case and also considering the fact that the injured has already been discharged from the 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 arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional Mahila Court, Tiruchirappalli on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 petitioners and the sureties shall affix their photographs and left thumb



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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 10.00 a.m for a period of two weeks.

(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 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/-
19/07/2024

/ TRUE COPY /

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



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SKN

TO

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1 THE ADDITIONAL MAHILA JUDGE,
TIRUCHIRAPPALLI.

2 THE INSPECTOR OF POLICE,
SESSIONS COURT POLICE STATION,
TIRUCHIRAPPALLI DISTRICT.

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

+2 CC to M/s.J.SRIPRASAD, Advocate (SR-8160[I] dated 19/07/2024)

ORDER IN
CRL OP(MD) No.10887 of 2024
Date :19/07/2024

SA/JGB/SAR. /30.07.2024/4P/6C

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