



CRL OP(MD). No.10942 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

( Criminal Jurisdiction )

Date : 29/07/2024

PRESENT

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

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1. Suthakar,

2. Raja,

... Petitioners/Rank not known

Vs

The Inspector of Police,  
Velayuthampattinam Police Station,  
Sivagangai District,  
Crime No.29/2024.

... Respondents/Complainant

For Petitioner : M/s.Vinothkumar.B, Advocate.

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

Petition for Anticipatory Bail under section 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.29/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

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

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police for the offences punishable under Section 191(2), 191(3), 296(b), 118(1), 351(2) of the Bharatiya Nyaya Sanhita (BNS), 2023 (147,148,294(b),326 and 506(i) I.P.C) and 4 of TNPWH Act, in Crime No.29 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel, the petitioners are said to have attacked the defacto complainant with deadly weapons and also threatened to kill him. 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 prays for grant of anticipatory bail to the petitioners.

4.The learned Government Counsel would submit that the totally seven accused and the petitioners are arrayed as A1 and A5 and they are not having any previous case and the injured was discharged from the hospital and the investigation is still pending. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the fact that there is no bad antecedents and the injured was 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



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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 Judicial Magistrate, Devakottai, 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 Judicial Magistrate, Devakottai, daily at 10.30 am for a period of three 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 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;

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

sd/-  
29/07/2024

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/ 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, DEVAKOTTAI.

2. DO-THROUGH,  
THE CHIEF JUDICIAL MAGISTRATE,  
SIVAGANGAI DISTRICT.

3. THE INSPECTOR OF POLICE  
VELAYUTHAMPATTINAM POLICE STATION,  
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.B.VINOTHKUMAR, Advocate ( SR-8900[I] dated 30/07/2024 )



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ORDER

IN

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Date :29/07/2024

PSP/GS/SAR /07.08.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified  
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