



CRL OP(MD).No.11979 of 2024

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

Date : 02.08.2024

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

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Durai Murugan

... Petitioner/ Accused No.1

Versus

The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.
(Crime No.194 of 2024)

... Respondent/Complainant

For Petitioner : Mr.S.Jeyakarthik, Advocate

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.194 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, apprehending arrest at the hands of the respondent Police, in connection with a case in Crime No.194 of 2024, for the offence punishable under



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Sections 294(b), 323, 324 and 506(ii) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, has filed this petition seeking anticipatory bail.

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2. The case of the prosecution is that due to previous enmity, the petitioner abused the defacto complainant in filthy language, threatened him and also attacked him with a weapons and caused injury. Hence, the case.

3. The learned Government Advocate (Crl.Side) appearing for the respondent strongly opposes for grant of anticipatory bail to the petitioner that considering the antecedent of the petitioner, this Court had dismissed the earlier application by order dated 24.06.2024. He further submits that the petitioner is having three previous cases to his credit.

4. Today, when the matter is taken up for consideration, the learned counsel appearing for the petitioner submits that one A.Karuppuchamy, retired Forest Guard in Sivagangai District, has come forward to file an undertaking affidavit that the petitioner will not indulge in any other offence in future. He has also filed an undertaking affidavit to that effect.

5. Considering the facts and circumstances of the case and also considering the undertaking affidavit filed by one A.Karuppuchamy that the petitioner will not indulge in any other offence in future, this Court is inclined to grant anticipatory bail to the petitioner.



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6. Accordingly, this Criminal Original Petition is ordered and the petitioner is ordered to be released on bail in the event of his 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, Elayangudi, on condition that

(i) the petitioner execute a bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Elayangudi.

ii) the sureties shall file separate affidavits before the concerned Judicial Magistrate as well as before the respondent Police that they will ensure that the petitioner will not involve in any further offence in future. Out of the two sureties, one surety shall be Mr.A.Karuppuchamy, retired Forest Guard in Sivagangai District, who filed undertaking affidavit before this Court.

iii) The petitioner shall appear before the respondent Police daily at 10.30 a.m. until further orders. He has to co-operate for investigation.

iv) The petitioner shall file an undertaking affidavit before the respondent Police and also before the concerned Judicial Magistrate that he will not indulge in any other offence in future.



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v) The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. He shall be available for the trial as well.

vi) On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
02/08/2024

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

JBR

To

1.The Judicial Magistrate,
Elayangudi.

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

3.The Inspector of Police,
Elayangudi Police Station,
Sivagangai District.

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



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+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-9408[I] dated 02/08/2024)

ORDER
IN
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Date :02/08/2024

ED/ JGB /SAR- (23/08/2024) 5P / 6C

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