



CRL OP(MD). No.11137 of 2024

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

Date : 05/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.11137 of 2024

1.K.Suresh
2.S.Balamurugan
3.S.Thangapandi

... Petitioners / Accused No.1,3 & 4

Vs.

The Inspector of Police,
Villoor Police Station,
Madurai District,
(Crime No.42 of 2024.)

... Respondent/Complainant

Madhavan

... Petitioner / Intervener
in CRL MP(MD) No.7438 of 2024

For petitioners : Mr.P.Subbiah, Advocate.

For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

For Intervenor : Mr.NareshPrabu, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory bail in Crime No.42 of 2024 on the file of the respondent police.



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ORDER: The Court made the following order :-

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The petitioners/Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324, 307 and 506(ii) I.P.C., in crime No.42 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity between the parties, the petitioners abused the defacto complainant in filthy language and also assaulted him and his relative with hands and caused injuries.

3. The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He would further submit that the injured was discharged from the hospital. Hence, he prays for grant of anticipatory bail to the petitioners.

4. On the other hand, the learned Public Prosecutor would submit that the injured was discharged from the hospital. But, however, the petitioners are having previous cases and the investigation is pending. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5. Considering the fact that the injured were discharged from the hospital and considering the overall allegations in the F.I.R as if the victims were standing in the particular place, the accused came there and hit them, I am inclined to enlarge the



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petitioners on anticipatory bail on condition that the petitioners have to stay away,
ie. at Thanjavur.

8. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, on executing 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 District Munsif cum Judicial Magistrate, Peraiyur.

(i)the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity;

(ii)the petitioners shall stay at Thanjavur District and shall report before the Inspector of Police, Thanjavur Medical College Police Station, Thanjavur, daily at 10.30 am for a period of four weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(iii)the petitioners shall not tamper with evidence or witness;

iv)the petitioners shall not abscond during trial.

v)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].

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

sd/-
05/08/2024

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

LS

To

1.The District Munsif cum Judicial Magistrate,
Peraiyur.

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

3.The Inspector of Police,
Villoor Police Station,
Madurai District.

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



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The Inspector of Police,
Thanjavur Medical College Police Station,
Thanjavur.

+1 CC to M/s.P.SUBBIAH, Advocate (SR-9452[I] dated 05/08/2024)

ORDER
IN

CRL OP(MD) No.11137 of 2024
Date :05/08/2024

ED/ GS /SAR- (07/08/2024) 5P / 7C

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