



CRL OP(MD). No.11445 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/07/2024

PRESENT

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

CRL OP(MD). No.11445 of 2024

1. Balachandar,
2. Thirumurugan,

... Petitioners/ Accused Nos.1&2

Vs

The Inspector of Police,
Orathanadu Police Station,
Thanjavur District.
Crime No. 475/2024.

... Respondent/Complainant

For Petitioner : M/s. Alagia Nambi.R, Advocate.

For Respondent : Mr.M.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 475 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who apprehend arrest at the hands of the respondent

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.11445 of 2024

police for the offences punishable under Sections 296(b), 118(1), 351(3) and 303(2) of BNS, 2023 of Bharatiya Nyaya Sanhita (BNS), 2023, in Crime No.475 of 2024, seek anticipatory bail.

2.The case of the prosecution is that during the temple festival, the petitioners said to have abused the defacto complainant in filthy language and assaulted him with wooden log and caused injuries. 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. He would further submit that the injured was discharged from the hospital and no previous case is pending against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) would submit that the investigation is in preliminary stage. But, however, he fairly conceded that the injured was discharged from the hospital and no previous case is pending against the petitioners.

5.Considering the facts and circumstances of the case and also considering the facts that the injured was discharged from the hospital and no bad antecedent is reported against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CRL OP(MD). No.11445 of 2024

WEB COPY

6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Orathanadu, 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 respondent police 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;

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.11445 of 2024

WEB COPY

(f)if the accused thereafter abscond, a fresh FIR can be registered under Section

229-A IPC.

sd/-
24/07/2024

/ TRUE COPY /

/ 08 /2024

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

DSS

TO

1 TEH JUDICIAL MAGISTRATE
COURT ORATHANADU.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM

3 THE INSPECTOR OF POLICE
ORATHANADU POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER
IN

CRL OP(MD) No.11445 of 2024
Date :24/07/2024

PSP/GS/SAR /09.08.2024/ 4P/ 5C

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

<https://www.mhc.tn.gov.in/judis>