



CRL OP(MD). No.11411 of 2024

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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.11411 of 2024

Murugan

... Petitioner/ Accused No.2

Vs

The Inspector of Police,
Maraneri Police Station,
Virudhunagar District.
(Crime No. 72 of 2024)

... Respondent/Complainant

For Petitioner : M/s.E.Mareeskumar, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Bail in Crime No. 72 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/A2, who was arrested and remanded to judicial custody on 09.05.2024 for the offences punishable under Sections 341, 294(b), 450, 323, 307 & 506 (ii) IPC and Section 4 of TNPHW Act, 2002 in crime No.72 of 2024 on the file of the respondent police, seeks bail.



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2.The case of the prosecution is that due to previous enmity, the petitioner along with other accused have trespassed into the house of the defacto complainant and abused him in filthy language and attacked him with hand hoe. When the same was tried to prevent by the wife and son of the defacto complainant, they also attacked them. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution. He would further submit that it is a case and case in counter and the injured was discharged from the hospital. Further, the petitioner is in judicial custody from 09.05.2024. Hence, he may be granted bail.

4.The learned Additional Public Prosecutor would submit that the investigation is in preliminary stage. But, however, he fairly conceded that it is a case and case in counter and the injured was discharged from the hospital.

5.Considering the period of incarceration and also considering the facts that it is a case and case in counter and the injured was discharged from the hospital, this Court is inclined to grant bail to the petitioner on certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail, on executing 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



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learned Judicial Magistrate No.1, Sivakasi, and on further condition that;

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(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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation;

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

(iv) the petitioner 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 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].

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

sd/-

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24/07/2024

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



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TO

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1 THE JUDICIAL MAGISTRATE NO.1, SIVAKASI.

2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE OFFICER INCHARGE, DISTRICT JAIL, VIRUDHUNAGAR.

4 THE INSPECTOR OF POLICE, MARANERI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.E.MAREES KUMAR, Advocate (SR-8501[I] dated 24/07/2024)

ORDER

IN

CRL OP(MD) No.11411 of 2024

Date :24/07/2024

RS//SAR-(24.07.2024) 4P 7C

Madurai Bench of Madras High Court is issuing
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