



CRL OP(MD). No.11660 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 26/07/2024

PRESENT

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

CRL OP(MD). No.11660 of 2024

Thanasingh

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.
(Crime No. 316/2024.)

... Respondent/Complainant

For Petitioner : M/s.S.Sathya Chidambaram, 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 316 of 2024. on the file of the Respondent police.



CRL OP(MD). No.11660 of 2024

ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1) and 351(3) BNS, 2023 in Cr.No.311 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel, the petitioner herein has attacked the defacto complainant and also abused him in filthy language. Hence, the complaint.

3. The learned counsel for the petitioner would submit that a false case foisted against the petitioner and the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate(Crl.Side) would submit that it is a case and counter case and the injured was discharged from the hospital and there is no previous case pending against the petitioner.

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

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest



CRL OP(MD). No.11660 of 2024

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or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Cheranmahadevi, Tirunelveli District on condition that the petitioner shall execute 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 respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a)the petitioner 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 petitioner 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 petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner 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 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



CRL OP(MD). No.11660 of 2024

Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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

sd/-
26/07/2024

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

TRP

To

1.The Judicial Magistrate,
Cheranmahadevi,
Tirunelveli District.

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

3.The Inspector of Police,
Cheranmahadevi Police Station,
Tirunelveli District.

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

+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-8812[I] dated
29/07/2024)



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CRL OP(MD). No.11660 of 2024

ORDER

IN

CRL OP(MD) No.11660 of 2024

Date :26/07/2024

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

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