



CRL OP(MD). No.11753 of 2024

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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.11753 of 2024

Thavakumar

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Jaihindpuram Police Station,
Madurai District,
(Crime No.299/2024.)

... Respondent/ Complainant

For Petitioner : Mrs.A.Banumathy, Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of B.N.S.S

PRAYER :-

For Anticipatory Bail in Crime No.299/2024 on the file of the respondent police



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ORDER: The Court made the following order :-

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The petitioner/ A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 195A, 506(2), 109 of IPC in Cr.No.299 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, on 26.06.2024, there was a quarrel arisen between the petitioner's wife and daughter with the defacto complainant and they used filthy language and threatened with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. She would further submit that in the said occurrence, the petitioner's wife was sustained severe injury and admitted at hospital. In this regard, the petitioner has also given a complaint, which was registered in Crime No.297 of 2024. Hence, she prayed for anticipatory bail to the petitioner.

4.The learned Government Advocate (criminal side) appearing for the respondent police has strongly opposed to grant anticipatory bail to the petitioner. However, he would submit it is a case in counter.

5.Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest 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 No.4, Madurai 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 10.00 a.m for a period of three weeks and thereafter, as and when required;

(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



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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

(*) Corrected order issued

/ TRUE COPY /

/08/2024

Sub-Assistant Registrar
(C.S.I /II /III /IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

SKN

To

TO BE SUBSTITUTED WITH THE ORDER DATED 26.07.2024 ALREADEY
DESPATCHED

1.The Judicial Magistrate No.IV,
Madurai.

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

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

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

+1 CC to M/s.A.BANUMATHY, Advocate (SR-8850[I] dated 29/07/2024)



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ORDER

IN

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Date :26/07/2024

ED/ JGB /SAR- (22/08/2024) 5P / 6C

ED/ VR /SAR- (06/09/2024) 5P / 6C

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