



CRL OP(MD). No.11875 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29/07/2024

PRESENT

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

CRL OP(MD). No.11875 of 2024

1. Arunpandian,

2. Veerapathiran,

3. Kumar,

... Petitioners/
Accused Rank not known

Vs

The Inspector of Police,
Palayanoor Police Station,
Sivagangai District,
Crime No.58/2024.

... Respondent/Complainant

For Petitioners : Mr.R.Venkatesan, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SEC.482 OF BNSS

PRAYER :- For Anticipatory Bail in Crime No.58/2024 on the file of the respondent



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ORDER : The Court made the following order :-

The petitioners / Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1) and 351 (3) BNS, 2023, in Crime No.58 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 threatened him with dire consequences and also assaulted him with hands and caused injury. 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. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate(Crl.Side) would submit that the injured was discharge from the hospital. But, however, the first petitioner is having 2 previous case, the second petitioner is having 3 previous cases and the third petitioner is having 2 previous cases. The investigation is still pending. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant

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anticipatory bail to the petitioners with certain conditions.

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, Thiruppuvanam**, 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



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

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

sd/-
29/07/2024

**(*)AMENDED AS PER ORDER OF THE COURT
DATED 23/08/2024 IN CRL MP(MD)No.8588 of
2024 in CRL OP(MD)No.11875 of 2024.**

**FURTHER TIME IS EXTENDED FOR A PERIOD
OF TWO WEEKS FROM THE DATE OF RECEIPT
OF AMENDED COPY OF THIS ORDER.**

/ TRUE COPY /

/ 09 / 2024
Sub-Assistant Registrar (C.S.I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO
**TO BE SUBSTITUTED WITH THE ORDER DATED 29/07/2024 ALREADY
DESPATHCED.**

1. THE JUDICIAL MAGISTRATE,
MANAMADURAI.

2. THE JUDICIAL MAGISTRATE,
THIRUPPUVANAM

3. DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

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4. THE INSPECTOR OF POLICE
PALAYANOOR POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.R.VENKATESAN, Advocate (SR-10427[I] dated 27/08/2024)

ORDER
IN
CRL OP(MD) No.11875 of 2024
Date :29/07/2024

PSP/GS/SAR /08.08.2024/ **5P/ 6C**
DSS
SS/GS/SAR- / 03/09/2024/ 5P/7C

Madurai Bench of Madras High Court is issuing certified
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