



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12141 of 2024

1. Sathishkumar
2. V Murugan @ Murugesan
3. K.Selvaraj
4. Ponnusamy

... Petitioners/ Accused Nos.1 to 4

Vs

The Inspector of Police,
Bodinayakanur Rural Police Station,
Theni District.
Crime No. 237/2024.

... Respondent/Complainant

Pandiyan

... Petitioner / Intervener
in CRL MP(MD)No.7766 of 2024

For Petitioners : M/s. Samidurai.K,
Advocate.

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

For Intervenor : Mr.C.M.Arumugam, Advocate.

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No. 237 of 2024 on the file of the respondent Police.



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 108 BNS, 2023, in Cr.No. 237 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the deceased/P.Lakshmanan was threatened by Accused and assaulted without causing an external injury of deceased and thereby, the deceased committed suicide by way of hanging. Hence, the complaint.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Considering the nature of allegations made as against the first petitioner/A1 and the specific allegation made in the F.I.R, I am not inclined to allow this Petition, in respect of the first petitioner/A1 is concerned. At this juncture, the learned counsel for the petitioners did not press the petition in respect of the first petitioner/A1. He has also made an endorsement to that effect. In view thereof, this Petition is dismissed as not pressed in respect of the first petitioner/A1 is concerned.

5. As far as the other petitioners, ie., the petitioners 2 to 4 are concerned, considering the statement which is given by the wife of the deceased, I am of the view that the petitioners 2 to 4/A2 to A4 can be enlarged on anticipatory bail with certain conditions.



WEB COPY

6. Accordingly, this Petition is allowed as far as the petitioners 2 to 4 are concerned and the petitioners 2 to 4 are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Bodinayakanur, Theni District, on condition that the petitioners 2 to 4 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 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 petitioners 2 to 4 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 2 to 4 shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(c) the petitioners 2 to 4 shall not tamper with evidence or witness either during investigation or trial;



(d) the petitioners 2 to 4 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 2 to 4 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;

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

7. In the result, this Criminal Original Petition is partly allowed.

sd/-
13/08/2024

/ TRUE COPY /

/08/2024

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

LS
TO

1 THE JUDICIAL MAGISTRATE,
BODINAYAKANUR, THENI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THENI DISTRICT.

3 THE INSPECTOR OF POLICE
BODINAYAKANUR RURAL POLICE STATION,
THENI DISTRICT.



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

+1 CC to M/s.C.M.ARUMUGAM, Advocate (SR-9873[I] dated 13/08/2024)

+1 CC to M/s.K.SAMIDURAI, Advocate (SR-9878[I] dated 13/08/2024)

ORDER
IN

CRL OP(MD) No.12141 of 2024

Date :13/08/2024

MK/27.08.2024 5P 7C

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