



CRL OP(MD). No.12167 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 31/07/2024

PRESENT

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

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1. Balamurugan

2. Siva @ Selvarasu

3. Sekar

4. Saravanan

5. Lalitha @ Logambal

6. Rajendran

... Petitioners/ Accused Nos. 1 to 3, 6, 13 & 14

Vs

Inspector of Police,
Thathayangarpur Police Station,
Tiruchirapalli District.
(Crime No. 114/2024.)

... Respondent/Complainant

For Petitioners : M/s.M.Yesudasan, Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-

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For Anticipatory Bail in Crime No. 114 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/A1 to A3, A6, A13 & A14 who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 329(4), 296(b), 324(4) and 353(2) of Bharatiya Nyaya Sanhita, 2023, in Crime No.114 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to civil dispute between the parties, on 06.07.2024, at about 10.00 a.m, the petitioners said to have trespassed into the land of the defacto complainant and caused damaged to her car, which was parked in that place and subsequently, took a dead body through that land. Further, they abused the defacto complainant in filthy language and threatened her with hands. 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 and no previous case is pending against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.



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4.The learned Government Advocate(Crl.Side) would submit that the investigation is in preliminary stage. But, however, the injured was discharge from the hospital and no previous case is pending against the petitioners.

5.Considering the facts and circumstances of the case and also considering the facts that the injured was discharged from the hospital and no bad antecedent is reported against the petitioners, this Court is inclined to grant 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 Court at Thuraiyur, Tiruchirapalli District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) common surety 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 fo three weeks and thereafter, as and when required for interrogation;

(c)the petitioners shall not tamper with evidence or witness either during



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investigation or trial;

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(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 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/-
31/07/2024

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

DSS

To

1.The Judicial Magistrate,
Thuraiyur, Tiruchirapalli District.

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



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3.The Inspector of Police,
Thathayangarpet Police Station,
Tiruchirapalli District.

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

+1 CC to M/s.M.YESUDASAN, Advocate (SR-9361[I] dated 02/08/2024)

ORDER
IN
CRL OP(MD) No.12167 of 2024
Date :31/07/2024

ED/ GS /SAR- (09/08/2024) 5P / 6C

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