



CRL OP(MD). No.12270 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.Esakkimuthu
- 2.M.Marimuthu
- 3.Balakrishnan
- 4.Bharathiraja
- 5.Muthuselvan
- 6.Ramkumar
- 7.A.Satheesh @ Lakshmanan
- 8.Parthiban
- 9.Sudalaiselvam
- 10.Thangaesakki
- 11.Thangaraja
- 12.Ramarselvan
- 13.Mariappan

... Petitioners/ Accused 1 to 13

Vs

The Inspector of Police,
Pavoor Chathiram Police Station,
Thenkasi District,
Crime No.256/2024

... Respondent/Complainant

For Petitioners : Mr.B.Anandan, Advocate.

For Respondent : Mr.K.Sanjai Gandhi, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS



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PRAYER :-

For Anticipatory Bail in Crime No.256/2024 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 191(2), 324(4), 296(b), 351(3) of BNS and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.256 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to previous motive, the petitioners herein have threatened the defacto complainant and also damaged the properties worth about Rs.15,500/-. 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 and their names have been falsely implicated in this case.

4.The learned Government Advocate (Crl. Side) would submit that no one has sustained injury in the said occurrence and the A4 and A12 are having one previous case and further it is a case and counter case.

5.Considering the facts and circumstances of the case and also considering the fact that no one has sustained injury and that it is a case and counter case, 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



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arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Tenkasi 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 in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;



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

TRP

TO

- 1 THE JUDICIAL MAGISTRATE, TENKASI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.
- 3 THE INSPECTOR OF POLICE, PAVOOR CHATHIRAM POLICE STATION,
TENKASI DISTRICT,
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.B.ANANDAN, Advocate (SR-9097[I] dated 31/07/2024)

ORDER IN
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Date : 31/07/2024

RS/VR/SAR-(17.08.2024) 4P 6C
Madurai Bench of Madras High Court is issuing
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