



CRL OP(MD). No.12721 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Rajeshkannan

... Petitioner/Sole Accused

Vs

**The Inspector of Police,
Parthibanoor Police Station,
Ramanathapuram District.
(Crime No.129 of 2024)**

... Respondent/Complainant

For Petitioner : M/s. Packiaraj. D, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.129 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the



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respondent police for the offences punishable under Sections 115(2) and 118(1) of BNS, 2023, in Crime No.129 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are the husband and wife and they have two female children. On 22.07.2024, at about 03.45 p.m, the petitioner in a drunken mode, abused the defacto complainant in filthy language and attacked her and the second female child and threatened them with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent and he has been falsely implicated in this case. He would further submit that it is a family dispute between the husband and wife and the injured was discharged from the hospital. Hence, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor would submit that it is a family dispute between the husband and wife and the injured was discharged from the hospital. However, the investigation in this case is not yet completed. Hence, he opposed to grant anticipatory bail to the petitioner.

5.Considering the overall facts and circumstances of the case and also considering the fact that it is a dispute between the husband and wife and the injured was discharged from the hospital, this Court is inclined to enlarge the petitioner on

Anticipatory bail with certain conditions.

<https://www.mhc.tn.gov.in/juels>



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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, Paramakudi, 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 10.30 a.m, for a period of three 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 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
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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 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.

sd/-
05/08/2024

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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
PARAMAKUDI.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT

3 THE INSPECTOR OF POLICE
PARTHIBANOOR POLICE STATION,
RAMANATHAPURAM DISTRICT.

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



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+1 CC to M/s.D.PACKIARAJ, Advocate (SR-9443[I] dated 05/08/2024)

ORDER
IN

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Date :05/08/2024

PSP/JGB/SAR /16.08.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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