



CRL OP(MD). No.12719 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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Manoj

... Petitioner/ Accused No.5

Vs

**The Inspector of Police,
Lalpet Police Station,
Karur.
(Crime NO.366 of 2023)**

... Respondent/Complainant

For Petitioner : M/s. Karuna. V, 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.366 of 2024 on the file of the respondent police.

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



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ORDER : The Court made the following order :-

The petitioner/A5, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 296(b), 96, 115(2) and 351(2) of BNS Act, 2023, in Crime No.366 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioner along with other accused, abducted the defacto complainant to the remote area and abused him in filthy language and attacked him with their hands. 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 the defacto complainant has sustained only simple injury. Hence, he prays for anticipatory bail.

4.The learned Additional Public Prosecutor would submit that the investigation in this case is not yet completed. However, he fairly conceded that the injured has sustained only simple injury and he was treated as out patient.

5.Considering the overall facts and circumstances of the case and also considering the fact that the injured has sustained only simple injury, this Court is inclined to enlarge the petitioner on Anticipatory bail with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of



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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 No.I, Kulithalai, 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;

(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 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;

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(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
NO.I, KULITHALAI

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT

3 THE INSPECTOR OF POLICE
LALAPET POLICE STATION, KARUR.

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

+1 CC to M/s.V.KARUNA, Advocate (SR-9557[I] dated 07/08/2024)

ORDER
IN

CRL OP(MD) No.12719 of 2024

Date :05/08/2024



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PSP/JGB/SAR /19.08.2024/ 5P/ 6C

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