



CRL OP(MD). No.12760 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

CRL OP(MD). No.12760 of 2024

1.Vignesh
2.Devika

... Petitioner/ Accused No.2 & 4

Vs.

The Inspector of Police,
Thiruppacheti Police Station,
Sivagangai District,
Crime No.135 of 2024

... Respondent/Complainant

For petitioners : Mr.Haroon Rasheed, Advocate.
For Respondent : Mr.R.M.Anbunithi, Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory bail in Crime No.135 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 49, 296(b), 118(1), 351 (3) BNS, 2023, in crime No.135 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity between the

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CRL OP(MD). No.12760 of 2024

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parties, the petitioners and other accused abused the defacto complainant in filthy language and criminally intimidated him and also assaulted him and caused injuries.

3. The learned counsel for the petitioners would submit that the petitioners are innocents and they have been falsely implicated in this case. He would further submit that the injured was discharged from the hospital. Hence, he prays for grant of anticipatory bail to the petitioners.

4. On the other hand, the learned Public Prosecutor would submit that the injured was discharged from the hospital. But, however, the investigation is pending. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

5. Considering the fact that the injured were discharged from the hospital and considering the overall facts and circumstances of the case, I am inclined to enlarge the petitioners on anticipatory bail.

6. Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, on executing 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 Judicial Magistrate, Thirupuvanam.

(i) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of their Aadhar



CRL OP(MD). No.12760 of 2024

card or Bank Pass Book to ensure their identity;

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(ii)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. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(iii)the petitioners shall not tamper with evidence or witness;

(iv)the petitioners shall not abscond during trial.

(v)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].

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

sd/-

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/08/2024

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

LS



CRL OP(MD). No.12760 of 2024

TO

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1 THE JUDICIAL MAGISTRATE, THIRUPUVANAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE, THIRUPPACHETHI POLICE STATION,
SIVAGANGAI DISTRICT.

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

ORDER

IN

CRL OP(MD) No.12760 of 2024

Date :05/08/2024

RS/JGB/SAR-(19.08.2024) 4P 5C

Madurai Bench of Madras High Court is issuing
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