



CRL OP(MD). No.12964 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.12964 of 2024

1. Kamachi,

2. Ganesan,

3. Saranraj, ... Petitioners/ Rank Not Known

Vs

The Inspector of Police,
Thathiengarpet Police Station,
Trichy District,
Crime No.120/2024.

... Respondent/Complainant

For Petitioner : M/s.Durgadevi.G,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.120/2024 on the file of the respondent police

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



CRL OP(MD). No.12964 of 2024

ORDER : The Court made the following order :-

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The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115, 118(1) and 351 of BNS, 2023, and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, in Crime No.120 of 2024, seek anticipatory bail.

2.The case of the prosecution is that there was an dispute with regard to water supply to agricultural crops from a joint patta well, the petitioners are said to have abused the defacto complainant in filthy language and assaulted her and caused injuries. Hence, the complaint.

3.Heard both sides.

4.Considering the fact that the injured wss discharged and also considering the fact that there are no antecedents against the petitioners and considering the fact that the dispute is relating to irrigation, 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

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CRL OP(MD). No.12964 of 2024

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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 Musiri, 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 two 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

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CRL OP(MD). No.12964 of 2024

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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/-
08/08/2024

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

dss

TO

1. The the Judicial Magistrate Court Musiri,
2. Do-Through The Chief Judicial Magistrate,
Trichy District.
3. The Inspector of Police,
Thathiengarpet Police Station,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.G.DURGADEVI, Advocate (SR-9666[I] dated 08/08/2024)



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CRL OP(MD). No.12964 of 2024

ORDER

IN

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Date :08/08/2024

RK/GS(20/08/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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