



CRL OP(MD). No.13103 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13103 of 2024

Packiyaraj @ Packiyaraja,

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
Srivaikundram Police Station,
Srivaikundram,
Thoothukudi District.
Crime No. 198 of 2024..

... Respondent/ Complainant

For Petitioner : Mr.N.Pragalathan,
Advocate.

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No.198 of 2024 on the file of the Respondent police.



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ORDER: The Court made the following order :-

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The petitioner/ A4, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 126(2), 296(b), 115(2), 351(3) of Bharatiya NyayaSanhita, 2023, and Section 3 of Tamil Nadu Prohibition oof Harassment of Women Act, 2002, in Cr.No.448 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that when the defacto complainant was sitting in a Odaikarai bridge, the petitioner is said to have abused the defacto complainant in filthy language and attacked him with their hands & legs and stones and caused injuries. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of allegation and also considering the facts that the injured being discharged from the hospital and there are no bad antecedent as against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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5. 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 Court No.I, Sivaikundam, Thoothukudi District, 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



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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/-
12/08/2024

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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
SRIVAIKUNDAM, THOOTHUKUDI DISTRICT
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3 THE INSPECTOR OF POLICE
SRIVAIKUNDRAM POLICE STATION, SRIVAIKUNDRAM,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-9825[I] dated 12/08/2024)



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ORDER
IN
CRL OP(MD) No.13103 of 2024
Date :12/08/2024

SS/JGB/SAR- /19/08/2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023