



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13308 of 2024

1. Nellaiyappan
2. Arumugam
3. Murali @ Muralitharan
4. Chellathurai @ Chinnadurai ... Petitioners/ Accused Nos.1 & 4

Vs

The Inspector of Police,
Murappanadu Police Station,
Thoothukudi District.
Crime No.206/2024. ... Respondent/Complainant

For Petitioners : Mr.Veerapandi P,
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.206 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 191(2), 191(3), 296(b),

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115(2), 118(1), 351(3) of BNS in Crime No.206 of 2024, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute, the petitioners herein have attacked the defacto complainant and also abused him in filthy language. Hence, the case.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent Police and perused the materials available on record.

4. Considering the nature of allegations and also considering the fact that the injured was discharged from the hospital and considering the fact that except the third petitioner, the other petitioners do not have any bad antecedents, I am inclined to enlarge the petitioners on anticipatory bail.

5. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their 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, Srivaikundam, 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 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 petitioners and the sureties shall affix their photographs and left thumb

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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 three 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 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/-
16/08/2024

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/08/2024

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

trp



TO

1 THE JUDICIAL MAGISTRATE NO.I,
SRIVAIKUNDAM.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.

3 THE INSPECTOR OF POLICE
MURAPPANADU POLICE STATION,
THOOTHUKUDI DISTRICT.

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

ORDER
IN

CRL OP(MD) No.13308 of 2024

Date :16/08/2024

MK/27.08.2024 4P 5C

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