



CRL OP(MD). No.13756 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 22/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13756 of 2024

Neelakandan

... Petitioner/ Accused No.4

Vs

The Inspector of Police,
Melatur Police Station,
Thanjavur District.
Crime No.369/2024.

... Respondent/ Complainant

For Petitioner : Mr.Dhilipan Pandian R L,
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.369 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/Accused, who apprehends arrest at the hands of the respondent

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



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police for the offences punishable under Sections 296(b), 118(1), 351(3) and 109 BNS, 2023, in Cr.No. 369 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the accused have abused the defacto complainant in filthy language and threatened with dire consequences and also assaulted him with Aruval. Hence, the complaint.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Considering the fact that the petitioner was not present in the scene of occurrence but abetted the accused Nos.1 and 2, who were said to have inflicted a very serious cut injury on the wrist of the defacto compliant and considering the fact that the injured is discharged from the hospital and that there are no bad antecedents against the present petitioner, I am inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from



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the date of receipt of a copy of this order, before the learned Judicial Magistrate No.III, Thanjavur, 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 am for a period of four 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;

(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;



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(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;

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

sd/-
22/08/2024

/ TRUE COPY /

/09/2024
Sub-Assistant Registrar (CS-I / II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LS

TO

1. THE JUDICIAL MAGISTRATE NO.III,
THANJAVUR.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR @ KUMBAKONAM.



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3. THE INSPECTOR OF POLICE,
MELATUR POLICE STATION,
THANJAVUR DISTRICT.

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

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-10301[I] dated 23/08/2024)

ORDER
IN
CRL OP(MD) No.13756 of 2024
Date :22/08/2024

RK/JGB (30/08/2024) 5P / 6C

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