



CRL OP(MD). No.14394 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/09/2024

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL OP(MD). No.14394 of 2024

Sekar,

... Petitioner/ Accused No.1

Vs

The Inspector of Police,
Dhadikombu Police Station,
Dindigul District.
Crime No.182 of 2023.

... Respondent/Complainant

For Petitioner : Mr.S.Vishnuvardhan,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No.182 of 2023 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



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police for the offences punishable under Sections 294(b), 323, 506(ii) of IPC and Section 4 of TNPHW Act, in crime No.479 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant's husband was working as a driver under the petitioner. On 24.04.2023, when the petitioner and the husband of the de-facto complainant were returning from Madurai in the petitioner's car, the said car was hit by a lorry and the car is damaged to the tune of Rs.5 lakhs. Therefore, the petitioner abused the husband of the de-facto complainant and also threatened to repay the damage amount. Hence, the respondent police registered a case against the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed the offence as alleged by the prosecution. The learned counsel would further submit that earlier the petition for anticipatory bail filed by the very same petitioner before this Court on the ground that the petitioner has involved in four cases, among which, there are petty offences punishable under Sections 506(ii) and 323 of IPC. Subsequently, he came to be acquitted by the District Magistrate-cum-Judicial Magistrate, Aathur in C.C.No.412 of 2019. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. Heard the learned Government Advocate(Crl.sdie).

5. In view of the aforesaid development, I am inclined to enlarge the petitioner on anticipatory bail.

6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his 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 Additional Mahila Court, Dindigul.

(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 card or Bank Pass Book to ensure their identity;

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



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

iv)the petitioner 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 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].

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

sd/-
02/09/2024
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/09/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

NS



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TO
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- 1 THE ADDITIONAL MAHILA JUDGE,
DINDIGUL
- 2 THE INSPECTOR OF POLICE
DHADIKOMBU POLICE STATION,
DINDIGUL DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.PALANISAMY, Advocate (SR-10713[I] dated 02/09/2024)

ORDER
IN
CRL OP(MD) No.14394 of 2024
Date :02/09/2024

SS/GS/SAR- /13/09/2024/5P/5C

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