



CRL OP(MD). No.13995 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 27/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.13995 of 2024

1. P.Rathinam
2. Janagan

... Petitioners/ Accused No.3 & 4

Vs

The Inspector of Police,
Thottiyam Police Station,
Thottiyam,
Trichy District.
Crime No. 408/2023.

... Respondent/Complainant

For Petitioners : Mr.R.Sundar, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 408 of 2023 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 147, 341, 294(b) and 506(i) I.P.C, in

Cr.No.408 of 2023, seek anticipatory bail.

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



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2. The case of the prosecution is that due to civil dispute between the parties, the petitioners had abused the defacto complainant in filthy language and also threatened him with dire consequences. Hence, the complaint.

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

4. Considering the facts and circumstances of the case and also considering the nature of allegation that pending civil suit, the parties indulged in threatening and considering the fact that the petitioner do not have any bad antecedents, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thottiyam, 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 impression in the surety bond and the Magistrate may obtain a copy of their Aadhar



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card or Bank pass Book to ensure their identity;

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

(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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
27/08/2024

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/09/2024

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



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TO

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1 THE JUDICIAL MAGISTRATE, THOTTIYAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE, THOTTIYAM POLICE STATION, THOTTIYAM,
TRICHY DISTRICT.

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

+1 CC to M/s.R.SUNDAR, Advocate (SR-10484[I] dated 28/08/2024)

ORDER

IN

CRL OP(MD) No.13995 of 2024

Date :27/08/2024

RS/VR/SAR-(12.09.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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