



CRL OP(MD). No.14094 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 29/08/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Saravanan

2. Kanimozhi,
W/o.Saravan

... Petitioners/ Accused Rank not known

Vs

The Inspector of Police,
All Women Police Station,
Jeeyarpuram,
Trichy District.
(Cr.No.16 of 2024.)

... Respondent/Complainant

For Petitioners : Mr.M.Jegadeesh Pandian, Advocate.

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

For Intervenor : Mr.F.Rahman Sheriff, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.16 of 2024 on the file of the respondent police.



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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 296(b), 351(2) BNS, 2023 and Section 4 of TNPHW Act, in Cr.No. 16 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had abused the defacto complainant in filthy language in the public street. Hence, the complaint.

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

4. The learned counsel for the intervenor submits that this is the case, the petitioners caused annoyance and threat to the defacto complainant, who lived two house away, stood take care of special brother and also the age parent and prayed the petition to be dismissed.

5. The learned Government Advocate (Crl.Side) submits that the second petitioner is not an accused. As such, this Petition is dismissed as against the second petitioner is concerned.

6. Considering the facts and circumstances of the case and also considering the nature of allegation that the first petitioner caused annoyance and threat to the defacto complainant, who lived two houses away, took take care of a special brother and also the aged parent and considering the submissions made by the learned



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counsel for the petitioners that the petitioner will also file an affidavit that he will not in any manner annoy or disturb the defacto complainant, I am inclined to grant anticipatory bail to the first petitioner with certain conditions.

7. Accordingly, this Petition is allowed and the first petitioner 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 Additional Mahila (Judicial Magistrate Level) Trichy, on condition that the first petitioner 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 first 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) as undertaken, the first petitioner shall file an affidavit that he will not in any manner annoy or disturb the defacto complainant before the trial Court.

(c) the first petitioner 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



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by this court;

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(d) the first petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the first petitioner shall not abscond either during investigation or trial;

(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the first petitioner in accordance with law as if the conditions have been imposed and the first 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;

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

sd/-
29/08/2024

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

LS

To

1.The Judge,
Additional Mahila (Judicial Magistrate Level), Trichy.



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2. Do through the Chief Judicial Magistrate,
Trichy District.

3. The Inspector of Police,
All Women Police Station,
Jeeyarpuram, Trichy District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+2 CC to M/s.F.RAHMAN SHERIFF, Advocate (SR-10618[I] dated 30/08/2024)

+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-10647[I] dated
30/08/2024)

ORDER
IN

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Date :29/08/2024

ED/ VR /SAR- (07/09/2024) 5P / 8C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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