



CRL OP(MD). No.14166 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.08.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14166 of 2024

1.Prakash @ Prakasam
2.Athimoolam
3.Ramar @ Ramamuthu
4.Arivazhagan

... Petitioner/ A1 to A4

Vs

The Inspector of Police,
A.Mukkulam Police Station,
Virudhunagar District.
Crime No.79 of 2024.

... Respondent/ Complainant

For Petitioners : Mr.S.Murugapandi,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :- For Anticipatory Bail in Crime No.79 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehends arrest at the hands of the respondent Police



CRL OP(MD). No.14166 of 2024

for the alleged offence under Sections 296(b) and 351(2) of BNS, in Crime No.79 of 2024, seeks anticipatory bail.

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2. The case of the prosecution is that the defacto complainant and the second petitioner are husband and wife. Due to pervious enmity between the petitioners and the defacto complainant, the petitioners throw stones on the defacto complainant's house and threatened her. 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 considering the nature of allegation that it is a case and counter and also considering the fact that there is no serious injury to the defacto complainant, I am inclined to enlarge the petitioners on anticipatory bail 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



CRL OP(MD). No.14166 of 2024

WEB COPY

Magistrate, Tiruchuzhi, Virudhunagar District, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two common surety, 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 card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police daily at 10.30 am until further orders / for a period of one week 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;



CRL OP(MD). No.14166 of 2024

WEB COPY

(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/-
28/08/2024

/ TRUE COPY /

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

JBR

TO

- 1 THE JUDICIAL MAGISTRATE,
TIRUCHUZHI, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
A.MUKKULAM POLICE STATION, VIRUDHUNAGAR DISTRICT.



CRL OP(MD). No.14166 of 2024

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

+1 CC to M/s.S.MURUGAPANDI, Advocate (SR-10606[I] dated 30/08/2024)

ORDER
IN
CRL OP(MD) No.14166 of 2024
Date :28/08/2024

SS/VR/SAR- /14/09/2024/5P/6C

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