



in CrI.O.P(MD).No.14578/24

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). Nos.14578 and 14586 of 2024

Summan

...Petitioner / Accused's A1
in CrI.O.P(MD).No.14578/24

1. Jaygathis,

2. Mukesh Kannan,

3. Vinoth,

4. Ajith,

... Petitioner's/ Accused's A3,A6,A10,A12
in CrI.O.P(MD).No.14586/24

Vs

The Inspector of Police,
Thiruvaiyaru Police Station,
Thanjavur District.
(In Crime No.344 of 2024)..

... Respondent/ Complainant
in both cases

For Petitioners

in CrI.O.P(MD).No.14586/24 : M/s.M.Karthick, Advocate



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in Crl.O.P(MD).No.14578/24

For petitioner
in Crl.O.P(MD).No.14578/24 : Mr.S.Manojkumar, Advocate

For Respondent : Mr.A.Albert Jams,
in both OPs Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.344 of 2024 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, 294(b), 323, 336, 506 (ii) IPC r/w. 3(1) of Tamil Nadu Public Property (Prevention of Destruction and Loss) Act, 2003 and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.344 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel, the petitioners herein attacked the defacto complainant and also abused her in filthy language. Hence, the case.

3. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent Police and perused the materials available on record.

4. Considering the nature of allegations and considering the fact it is a case and



in Crl.O.P(MD).No.14578/24

counter and even though this Court had earlier dismissed the anticipatory bail application on the ground that the petitioners escaped from the hospital, it is now brought to the notice of this Court that in respect of similarly situated accused in the counter case, the learned District Judge has granted anticipatory bail in respect of other accused, I am inclined enlarge the petitioners on anticipatory bail.

5. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruvaiyaru, 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 card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police daily at 10.30 am for a period of three weeks and thereafter, as and when required for interrogation;

(c) the petitioners shall not tamper with evidence or witness either during

investigation or trial;

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in Crl.O.P(MD).No.14578/24

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

sd/-
02/09/2024

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/ 10 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

TO

1. THE JUDICIAL MAGISTRATE,
THIRUVAIYARU.

2. DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.



in Crl.O.P(MD).No.14578/24

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

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

ORDER
IN
CRL OP(MD). Nos.14578 and 14586 of 2024
Date :02/09/2024

PSP/ SG /SAR /03.10.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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