



CRL OP(MD). No.14875 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14875 of 2024

Sathish Kumar,

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep. By, the Inspector of Police,
Bodinaickanoor Rural Police Station,
Theni District.
(Crime No.237 of 2024).

... Respondent/ Complainant

For Petitioner : M/s.K.Samidurai,
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.237 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ A1, who apprehends arrest at the hands of the respondent police



CRL OP(MD). No.14875 of 2024

for the offence punishable under Section 108 of Bharatiya Nyaya Sanhita (BNS),
2023, in Cr.No.237 of 2024, seeks anticipatory bail.

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2.The case of the prosecution is that the defacto complainant is the father of the deceased. Since the deceased had made conversation with the sister of the petitioner, the petitioner along with other accused are said to have abused the son of the defacto complainant in filthy language and also assaulted him. Due to which, the deceased had committed suicide by hanging himself. Hence, the complaint.

3.Heard both sides.

4. Considering the nature of the case that in the earlier round there was an intervener, this Court directed the learned counsel for the petitioner to serve notice on the Intervener Counsel.

5. Today, when the matter came up for hearing, the learned counsel for the petitioner submitted that the Intervener Counsel did not accept the notice as far as this round is concerned. Therefore, the case is taken up for arguments.

6.Considering the nature of the allegations that the petitioner along with other accused went to the shop of the deceased and indulged in shaming him and also



CRL OP(MD). No.14875 of 2024

WEB COPY

threatening him and also hitting him, and on account of which, the deceased, unable to bear the same, went to his house and hanged himself, and considering the nature of the conversation that the deceased had made to the sister of the petitioner and also considering the facts that A2 to A4 were already released on anticipatory bail by this Court and there are no other bad antecedents against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is 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 Judicial Magistrate Court, Bodinayakanur, Theni District, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 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) the petitioner 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;



CRL OP(MD). No.14875 of 2024

WEB COPY

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

(d)the petitioner 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 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]*; and;

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

sd/-
10/09/2024

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/09/2024

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

DSS
TO

1 THE JUDICIAL MAGISTRATE, BODINAYAKANUR, THENI DISTRICT



CRL OP(MD). No.14875 of 2024

2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, THENI DISTRICT.

3 THE INSPECTOR OF POLICE,
BODINAICKANOOR RURAL POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.K.SAMIDURAI, Advocate (SR-11096[I] dated 10/09/2024)

ORDER
IN

CRL OP(MD) No.14875 of 2024

Date :10/09/2024

SS/SG/SAR- /25/09/2024/5P/6C

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