



CRL OP(MD). No.14828 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14828 of 2024

V.Senthil @ Thaimadi Senthil,

... Petitioner/ Accused No.5

Vs

**The State of Tamilnadu,
The Inspector of Police,
Devakottai Town Police Station,
Sivagangai District.
Crime No.156 of 2024..**

... Respondent/Complainant

For Petitioner : Mr.G.Thiruvarutselvan, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.156 of 2024 on the file of the Respondent Police.



CRL OP(MD). No.14828 of 2024

ORDER : The Court made the following order :-

The petitioner/ A5, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 127(2), 126(2), 109 and 351(3) of BNS, 2023, in Cr.No.156 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant and all the accused are friends. Suddenly, the defacto complainant did not want to maintain friendship with them. Due to which, on 16.08.2024, at about 07.40 p.m, when the defacto complainant and his father were working in their shop, the petitioner and other accused are said to have trespassed into the shop and abused them in filthy language and assaulted the defacto complainant with iron rod and caused injuries. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations against the petitioner and considering the fact that the injured has been discharged from the hospital and considering the argument of the petitioner in tendering an apology at the outset voluntarily that only by oversight, he omitted to mention about the dismissal of the earlier anticipatory bail, 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



CRL OP(MD). No.14828 of 2024

arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Devakottai, 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 two weeks and thereafter, as and when required for interrogation;

(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;

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



CRL OP(MD). No.14828 of 2024

WEB COPY

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section

229-A IPC.

sd/-

05/09/2024

/ TRUE COPY /

/ 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,
DEVAKOTTAI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
DEVAKOTTAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.G.THIRUVARUTSELVAN, Advocate (SR-10967[I] dated 06/09/2024)



WEB COPY



CRL OP(MD). No.14828 of 2024

ORDER
IN
CRL OP(MD) No.14828 of 2024
Date :05/09/2024

PSP/ VR /SAR /23.09.2024/ 5P/ 6C

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