



CRL OP(MD). No.14848 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.14848 of 2024

Thirunavukarasu

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Rameshwaram Town Police Station,
Ramanathapuram District.
Crime No.191 of 2024

... Respondent/Complainant

For Petitioner : Mr.D.Balamurugapandi,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :- For Anticipatory Bail in Crime No.191 of 2024 on the file of the Respondent police.



CRL OP(MD). No.14848 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence under Sections 106(2) of BNS, in Crime No.191 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that on 18.08.2024 at about 08.40 p.m., when the defacto complainant's husband was walking at Ramanathapuram to Rameshwaram NH Road near Dharmuneeswarar Temple, a car bearing Registration No.TN 65 AM 0627, came behind on the same direction, which was driven by the accused in a rash and negligent manner, dashed against the deceased and caused death. Hence, the case.

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

4. It is seen that the FIR for the allegation that the petitioner drove the vehicle in a rash and negligent manner and caused death, instead of registering the FIR under Section 106(i) of BNS, it is wrongly registered as 106(ii) of BNS in the FIR, since so far 106(ii) of BNS is not notified and have not come into force. Therefore, the offence



CRL OP(MD). No.14848 of 2024

WEB COPY

registered against the petitioner is deemed to have been registered only under Section 106 (i) of BNS and it is a bailable offence and therefore, this petition for anticipatory bail is not maintainable.

5. Accordingly, this Criminal Original Petition stands dismissed with liberty to the petitioner to move appropriate bail application before the Court concerned and the Court shall consider same in accordance with law.

sd/-
05/09/2024

/ TRUE COPY /

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

jbr

TO

1. THE INSPECTOR OF POLICE,
RAMESHWARAM TOWN POLICE STATION, RAMANATHAPURAM DISTRICT.
2. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

1. THE JUDICIAL MAGISTRATE, RAMESHWARAM, RAMANATHAPURAM



CRL OP(MD). No.14848 of 2024

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM

+1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-11005[I] dated 06/09/2024)

ORDER
IN

CRL OP(MD) No.14848 of 2024

Date :05/09/2024

RK/JGB (16/10/2024) 4P / 6C

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