



CRL OP(MD). No.14955 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.09.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.14955 of 2024

1. Gunasekaran
2. Praveen

... Petitioners/Rank not assigned

Vs

The Inspector of Police,
M.Pudhupatti Police Station,
Virudhunagar District.
Crime No.75 of 2024

... Respondent/Complainant

For Petitioners : Mr.R.Rajamohan,
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.75 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



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respondent police for the offences punishable under Sections 296, 126(2), 118(1), 109 & 351(3) of BNS, in Crime No.75 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity between the parties, the petitioners are said to have abused the defacto complainant in filthy language and also assaulted her and caused injury. Hence, the complaint.

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

4.Considering the nature of antecedents which is mentioned as against the second petitioner, this petition is dismissed.

5.Insofar as the first petitioner is concerned, Considering the nature of allegations and also considering the fact that the injured was discharged from the hospital and that the first petitioner has no previous antecedents, this Court is inclined to grant anticipatory bail to the first petitioner with certain conditions.

5.Accordingly, this Petition is partly allowed and the first petitioner is ordered to



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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 Magistrate No.II, Sivakasi, on condition that the first 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 first 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 first petitioner shall report before the respondent police daily at 10.30 a.m., for a period of three weeks 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 first petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the first 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 petitioners in accordance



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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/-
06/09/2024

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

JBR

TO

- 1 THE JUDICIAL MAGISTRATE NO.II
SIVAKASI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
 - 3 THE INSPECTOR OF POLICE,
M.PUDUPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.R.RAJAMOHAN, Advocate (SR-10984[I] dated 06/09/2024)



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ORDER
IN
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Date :06/09/2024

SS/VR/SAR- /26/09/2024/5P/6C

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