



CRL OP(MD). No.15445 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15445 of 2024

Murugan,

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Alwarthirunagari Police Station,
Thoothukudi District.
Crime No. 77/2024.

... Respondent/Complainant

For Petitioner : M/s. Venkatesh.D,
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. 77 of 2024 on the file of the respondent Police.



CRL OP(MD). No.15445 of 2024

ORDER: The Court made the following order :-

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The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 118(1) & 351(3) of the Bharatiya Nyaya Sanhita (BNS), 2023, in Cr.No.77 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is running a stationary shop. The son of the petitioner bought a pen from the shop and thereafter, he raised a writing issue in that pen. Even though ex-change of pen was offered, the son of the petitioner did not accept it. Thereafter, the petitioner visited the shop and abused the defacto complainant in filthy language and threatened him with dire consequences. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the occurrence that there was a wordy quarrel between the parties, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



CRL OP(MD). No.15445 of 2024

WEB COPY

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 learned Judicial Magistrate, Srivaikundam, 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



CRL OP(MD). No.15445 of 2024

learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court

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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/-

12/09/2024

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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
SRIVAIKUNDAM.
- 2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TUTICORIN DISTRICT.
- 3 INSPECTOR OF POLICE,
ALWARTHIRUNAGARI POLICE STATION,
THOOTHUKUDI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.D.VENKATESH, Advocate (SR-11269[I] dated 13/09/2024)



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CRL OP(MD). No.15445 of 2024

ORDER
IN
CRL OP(MD) No.15445 of 2024
Date :12/09/2024

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