



CRL OP(MD). No.15495 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 13/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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B.Mohamed Aslan,

... Petitioner/Sole Accused

Vs

**The State of Tamil Nadu,
Rep by the Inspector of Police,
Kenikarai P.S, Ramanathapuram
Cr.No.458/2024.**

... Respondent/Complainant

For Petitioner : M/s. Thamimul Ansari.N, Advocate.

For Respondent : Mr.A.Albert James,

Government Advocate (Crl.Side)

For intervenor : Mr.D. Balamurugapandi, Advocate

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 458 of 2024 on the file of the respondent

Police.



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ORDER : The Court made the following order :-

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1) and 351(3) of BNS in Crime.No.458 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel, the petitioner herein had bitten the defacto complainant's finger and also threatened him with dire consequences. Hence, the complaint.

3. Heard the learned counsel for the petitioner and the counsel for intervenor and the learned Government Advocate (Crl. side) appearing for the respondent Police and perused the materials available on record.

4. The learned counsel for the intervenor would submit that the defacto complainant was only a cousin brother and he was trying to pacify the husband and wife and at that time a part of his finger itself was bitten by the petitioner and hence, he strongly opposed to grant anticipatory bail to the petitioner.

5. Considering the nature of allegations in this case and considering the fact that it is a case and counter, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

6.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



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copy of this order, before the learned Judicial Magistrate No.II, Ramanathapuram, 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;

(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;



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

sd/-
13/09/2024

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

TRP

TO

1 THE JUDICIAL MAGISTRATE
NO.II, RAMANATHAPURAM DISTRICT.

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

3 THE INSPECTOR OF POLICE,
KENIKARAI P.S, RAMANATHAPURAM

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

+1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-11331[I] dated 13/09/2024)

+1 CC to M/s.N.THAMIMUL ANSARI, Advocate (SR-11392[I] dated 19/09/2024)



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ORDER
IN
CRL OP(MD) No.15495 of 2024
Date :13/09/2024

PSP/ MMS /SAR /07.10.2024/ 5P/ 7C

Madurai Bench of Madras High Court is issuing certified
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