



CRL OP(MD). No.15573 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.15573 of 2024

1. Ajay,

2. Prabu,

3. Kalaiselvi,

4. Arivalagan,

... Petitioners/ Accused No.1 to 4

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Checkanurani Police Station,
Madurai District
Crime No.340/2024

... Respondent/ Complainant

For Petitioners : M/s.R.Sundar,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER:-

For Anticipatory Bail in Crime No.340/2024 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 respondent police for the offences punishable under sections 296(b), 115(1), 118(i), 351(3) of BNS, 2023 read with Section 4 of TNPWH Act, 2002 in Crime No.340 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners/accused persons had abused the de-facto complainant in filthy language and had assaulted her. Hence, this case.

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

4. Considering the nature of the occurrence that it is a dispute among the family members, and considering the fact that the injured is discharged from the hospital, I am inclined to enlarge the petitioners on anticipatory bail.



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5. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.II, Usilampatti, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 petitioners 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 petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for the interrogation.

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners shall not abscond either during investigation or trial;

(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial



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Court is entitled to take appropriate action against the petitioners in accordance 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
18/09/2024

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

MKN

TO

1. The Judicial Magistrate No. II,
Usilampatti.
2. Do through the Chief Judicial Magistrate,
Madurai District.
3. The Inspector of Police,
Checkanurani Police Station,
Madurai District.



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4. The Additional Public Prosecutor,
Madurai District.

+1cc to M/s.R.SUNDAR, Advocate, SR No.11437(I), dated 19.09.2024.

ORDER
IN
CRL OP(MD) No.15573 of 2024
Date :18/09/2024

PSN/MMS/SAR/ (07/10/2024) 5P/6C

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