



CRL OP(MD). No.15718 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. R.Vignesh,

2. R.Vinoth,

... Petitioners/ Accused Nos.1&2

Vs

The State of Tamil Nadu,
Rep. By, the Inspector of Police,
Aruppukottai Police Station,
Virudhunagar District.
(Crime No.248 of 2024).

... Respondent/Complainant

For Petitioner : Mr.Marees Kumar E,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :- For Anticipatory Bail in Crime No.248 of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 & A2, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(1) of IPC r/w



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Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.248 of 2024, seek anticipatory bail.

2.The case of the prosecution is that after the conclusion of the lease period, the defacto complainant vacated the premises of the petitioners. But, however, the petitioners have not returned the lease amount of Rs.3,00,000/-. Hence, the defacto complainant filed a private complaint under Section 156(3) of Cr.P.C., before the Judicial Magistrate Court, Arupukottai. As per the direction of the learned Magistrate, present complainant has been registered by the respondent police.

3.Heard both sides.

4.Considering the nature of the allegations that the petitioners threatened the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5.Accordingly, the petitioners are ordered to be released on bail in the event of their 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, Arupukottai, 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 learned Magistrate concerned and on further conditions that:

(a)the petitioners and the sureties shall affix their photographs and left thumb



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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 am for a period of three weeks and thereafter, as and when required for 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 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/-
19/09/2024

/ TRUE COPY /

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



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DSS

TO

1 THE JUDICIAL MAGISTRATE,
ARUPUKOTTAI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE,
ARUPPUKOTTAI POLICE STATION, VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.E.MAREESKUMAR, Advocate (SR-11441[I] dated 19/09/2024)

ORDER IN
CRL OP(MD) No.15718 of 2024
Date :19/09/2024

SA/VR/SAR. /03.10.2024/4P/6C

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