



CRL OP(MD). No.16029 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/09/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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1. Kannan,

2. Chokkalingam,

3. Muthupandi @ Muthupandiyammal,

... Petitioners/ Accused Nos.1 to 3

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
(Crime.No.400 of 2024).

... Respondent/Complainant

For Petitioners: Mr.R.Shankar Ganesh,
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.400 of 2024 on the file of the
respondent Police.

<https://www.mhc.tn.gov.in/judis>



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ORDER: The Court made the following order :-

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The petitioners/A1 to A3, who apprehend 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.400 of 2024, seek anticipatory bail.

2.The case of the prosecution is that when the defacto complainant and his friends were standing nearyby Vellaikarai bus stop, the first petitioner hit the bike of the complainant by his car. When the same was questioned by the defacto complainant, the petitioner and the other accused are said to have abused the defacto complainant in filthy language and attacked him with hands and threatened him with dire consequences. Hence, the complaint.

3.Heard both sides.

4.It is seen that in the counter case, the other accused are seen entering into the house of the petitioner, and they are attacking even the women, and they are having swords and are attacking and damaging the motorbike, and everything has been captured in detail by the CCTV.

5.The learned counsel for the petitioner submits that the respondent police are taking sides with them and have not even raised their little finger even to apprehend them, and on the contrary, registered the counter complaint as the first FIR.

6. Be that as it may, it can be seen that the brutal attack is captured by the CCTV



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itself in the other Crime No.401 of 2024. Let immediate steps be taken to complete the investigation and apprehend the accused in the manner known to law.

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7. However, considering the nature of the allegations that the petitioner drove the vehicle in a rash and negligent manner, the defacto complainant accosted him as to why they are driving the two wheeler in such a rash manner, the petitioner hit the defacto complainant with hands and considering the fact that it is a case and counter, this Court is inclined to enlarge the petitioner on anticipatory bail.

8. 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, Thiruppuvanam, Sivagangai District, 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 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 two weeks and thereafter, as and when required for interrogation;

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



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investigation or trial;

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(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/-
24/09/2024

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

DSS

TO

1 THE JUDICIAL MAGISTRATE,
THIRUPPUVANAM, SIVAGANGAI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUPPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT.



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

+1 CC to M/s.R.SHANKAR GANESH, Advocate (SR-11639[I] dated 24/09/2024)

ORDER
IN
CRL OP(MD) No.16029 of 2024
Date :24/09/2024

SA/JGB/SAR. /01.10.2024/5P/6C

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