



CRL OP(MD). No.16703 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16703 of 2024

1. Balakrishnan,

2. Muniyandi,

... Petitioners/ Accused No.1 & 2

Vs

**State of Tamilnadu,
Rep. by the Inspector of Police,
Aviyur Police Station,
Virudhunagar District
in Cr.No. 122 of 2024.**

... Respondent/Complainant

For Petitioner : M/s.A.Karthigaivel, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.122 of 2024 on the file of the respondent police



CRL OP(MD). No.16703 of 2024

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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 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) of BNS, Act and Section 4 of Women Harassment Act in Crime No.122 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to money dispute, the petitioners herein have attacked the defacto complainant and also abused him in filthy language. Hence, the case.

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

4.Considering the fact that the occurrence happened due to money dispute and that the injured was discharged from the hospital and also considering the fact that there are no other bad antecedents against the petitioners, I am inclined enlarge the petitioners on anticipatory bail.

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 learned District Munsif Cum Judicial

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



CRL OP(MD). No.16703 of 2024

Magistrate, Kariyapatti, 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 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 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;



CRL OP(MD). No.16703 of 2024

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

sd/-
01/10/2024

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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 DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
KARIYAPATTI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

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

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

+1 CC to M/s.A.KARTHIGAIVEL, Advocate (SR-12015[I] dated 01/10/2024)



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ORDER
IN
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Date :01/10/2024

PSP/ JGB /SAR /17.10.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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