



CRL OP(MD). No.16823 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 03/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16823 of 2024

Hari @ Arikrishnan

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu Rep. By
The Inspector of Police,
Munnerpallam Police Station,
Tirunelveli.
(In Crime No.383 of 2024)

... Respondent/Complainant

For Petitioner : Mr.M.Rahul Kumar,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :-

For Anticipatory Bail in Crime No.383 of 2024 on the file of the Respondent police.



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ORDER : The Court made the following order :-

The petitioner/ A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 115(2) and 351(2), 78, 79 of BNS and Section 4 of TNPHW Act, in Crime No.383 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the mother of the victim girl. The petitioner and the other accused are said to have waylaid the college going daughter of the defacto complainant and mocked her and threatened her with dire consequences. Further, they abused the husband of the defacto complainant and cause simple injury. Hence, the complaint.

3.Heard both sides.

4.The allegations in this case are serious in nature. The petitioner and the other accused are said to have mocked and threatened the defacto complainant's college going daughter and only considering the fact that the accused No.2 & 3 were already granted anticipatory bail by the learned Principal District Judge, Tirunelveli, this Court is inclined to grant anticipatory bail to the petitioner with certain



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conditions.

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5. 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 copy of this order, before the Judicial Magistrate Court No.V, Tirunelveli, 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 serve in the Accident ward and help the staffs in cleaning the ward for a period of three working days at Tirunelveli Medical College Hospital and the said service shall be certified and reported to the investigating officer by the concerned Nursing Superintendent;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m, for a period of three weeks and thereafter, as and when required for interrogation;



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(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)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;

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

sd/-
03/10/2024

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/10/2024

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

DSS
TO

1 THE JUDICIAL MAGISTRATE NO.V
TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.



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3 THE INSPECTOR OF POLICE,
MUNNEERPALLAM POLICE STATION, TIRUNELVELI

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

COPY TO:
THE NURSING SUPERINTENDENT,
TIRUNELVELI MEDICAL COLLEGE HOSPITAL,
TIRUNELVELI.

ORDER
IN
CRL OP(MD) No.16823 of 2024
Date :03/10/2024

SS/VR/SAR- /17/10/2024/5P/6C

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