



CRL OP(MD). No.16771 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 01.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

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Dhanasekaran

... Petitioner/ A1

Vs

The Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai District.
Crime No.357 of 2024

... Respondent/ Complainant

For Petitioner : Mr.S.Ramanathan,
Advocate.

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

For Intervenor : Mr.Mr.C.Lakshmanan, Advocate

PRAYER :- For Anticipatory Bail in Crime No.357 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for



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the alleged offence under Sections 48, 296(b), 115(2), 118(2) & 351(3) of BNS, 2023, in Crime No.357 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioner abused the defacto complainant in filthy language and attacked him and caused injury. Hence, the complaint.

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

4. The learned Counsel for the intervenor would oppose the application on the ground that even during the Mulaipaari festival, the petitioner cause annoyance and in violation of the sentiments of the other persons, who are following the rituals. He further submitted that the petitioner entered into the area in which the Mulaipaari supposed to be kept and he was quite often interfering with the temple affairs and creating ruckus and annoyance. The petitioner has got nothing to do with the temple and he is creating problems every now and then.

5. Considering the fact that the petitoiner is said to have attacked the defacto



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complainant in his legs and considering the nature of injury and also considering the fact that there are no bad antecedents as against the petitioner, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

6. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of his arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No.VI, Madurai, 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 stay at Virudhunagar and report before the Inspector of Police, Virudhunagar Town Police Station, daily at 10.30 am., till 20.10.2024 and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;



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

(d)the petitioner 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 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;

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

sd/-
01/10/2024

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

jbr

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



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TO

1. THE JUDICIAL MAGISTRATE NO.VI, MADURAI,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI.

3. THE INSPECTOR OF POLICE,
NAGAMALAI PUDUKOTTAI POLICE STATION,
MADURAI DISTRICT.

4. THE INSPECTOR OF POLICE,
VIRUDHUNAGAR TOWN POLICE STATION,
VIRUDHUNAGAR.

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

+1 CC to M/s.S.RAMANATHAN, Advocate (SR-12243[I] dated 04/10/2024)

ORDER

IN

CRL OP(MD) No.16771 of 2024

Date :01/10/2024

RK/MMS (16/10/2024) 5P / 7C

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