



CRL OP(MD). No.17442 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 16/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17442 of 2024

N.Manikandan,

... Petitioner/ Accused No.1

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Ayyampettai Police Station,
Thanjavur District.
(Crime No.755 of 2024.)

... Respondent/ Complainant

For Petitioner : Dhilipan Pandian R.L.,
Advocate.

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

For Intervener : Mr.A.Senthil Kumar,
Advocate.

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.755 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 296(b), 329(3), 324(4), 326(g), 115(2) & 351 (3) of BNS Act and under Section 4 of TN Prohibition of Harassment of Women Act, 2002, in Cr.No.755 of 2024, seeks anticipatory bail.

2.The case of the prosecution is that due to a civil dispute, the petitioner and the other accused are said to have abused the defacto complainant in filthy language and assaulted him with an iron rod and also threatened him with dire consequences. Further, they also caused damage to a Television and a bike. Hence, the complaint.

3.Heard both sides.

4. Considering the nature of the allegations against the petitioner that the petitioner damaged the television and also set fire to the two Wheeler, and also considering the undertaking given by the learned counsel for the petitioner that without prejudice to the contention of the petitioner, the petitioner is ready and willing to deposit a sum of Rs.30,000/- to the credit of the crime number, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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5.As undertaken by him, the petitioner shall deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of Crime No.755 of 2024 before the Judicial Magistrate Court No.III, Thanjavur, Thanjavur District, without prejudice to his rights and contentions.

6.On such deposit being made, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of four weeks from the date on which the order copy made ready, before the Judicial Magistrate Court No.III, Thanjavur, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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.



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[b] Since it is stated that the atmosphere in the villages is volatile, the petitioner shall stay at Madurai and report before the Anna Nagar police station daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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16/10/2024

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/11 /2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSS

TO

1. The Judicial Magistrate No.III,
Thanjavur, Thanjavur District.

2.Do-Through
The Chief Judicial Magistrate,
Thanjavur District.

3. The Inspector of Police,
Ayyampettai Police Station, Thanjavur District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:
The Inspector of Police,
Anna Nagar police station, Madurai.

+1 CC to M/s.R.L.DHILIPAN PANDIAN, Advocate (SR-12639[I] dated 18/10/2024)



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ORDER
IN
CRL OP(MD) No.17442 of 2024
Date : 16/10/2024

SI -(08.11.2024) 6P/ 7C

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