



CRL OP(MD). No.16942 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.16942 of 2024

Pothumponnu,

... Petitioner/ Accused No.3

Vs

State of Tamilnadu,
Rep. by the Inspector of Police,
Keelathooval Police Station,
Ramanathapuram District.
Cr.No. 149 of 2024).

... Respondent/ Complainant

For Petitioner : Mr.D.Anbarasu, 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.149 of 2024 on the file of the respondent
police



CRL OP(MD). No.16942 of 2024

ORDER : The Court made the following order :-

The petitioner / A3, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1), 351(2) of BNSS and Section 4 of Tamil Nadu Prohibition of Women Harassment Act, in Crime No.149 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to civil dispute arose between the parties, the petitioner along with other accused persons abused the defacto complainant in filthy language. Hence, the complaint.

3. Heard. Perused the materials available on record including the First Information Report.

4. Considering the nature of allegations that due to previous motive, the petitioner along with other accused persons attacked the defacto complainant and considering the fact that the petitioner herein attacked the defacto complainant with stick and also considering the fact that the petitioner does not have any other bad antecedents, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions:

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which

the order copy made ready, before the learned Judicial Magistrate, Mudukulathur, on

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



CRL OP(MD). No.16942 of 2024

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.

[b] the petitioner shall report before the respondent Police, 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].



CRL OP(MD). No.16942 of 2024

WEB COPY

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

sd/-
04/10/2024

/ TRUE COPY /

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

TSG

TO

- 1 THE JUDICIAL MAGISTRATE, MUDUKULATHUR.
- 2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE, RAMANATHAPURAM.
- 3 THE INSPECTOR OF POLICE,
KEELATHOOVAL POLICE STATION,
RAMANATHAPURAM DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.D.ANBARASU, Advocate (SR-12283[I] dated 04/10/2024)

ORDER
IN
CRL OP(MD) No.16942 of 2024
Date :04/10/2024



CRL OP(MD). No.16942 of 2024

WEB COPY

PSP/ JGB /SAR /25.10.2024/ 5P/ 6C

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