



CRL OP(MD). No.16949 of 2024

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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.16949 of 2024

Thirunavukarasu

... Petitioner/ Accused(Sole)

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District
(Crime No. 224 of 2024).

... Respondent/ Complainant

For Petitioner : Mr.Senthil Murugan C.,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.224 of 2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

The petitioner/Sole Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1) and 351 (3) of BNS, 2023, in Crime No.224 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant went to TASMAC for consuming liquor, at that time, the petitioner is said to have waylaid the defacto complainant, abused him in filthy language and threatened him with dire consequences.

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

4.Considering the fact that it is a drunken brawl and the defacto complainant suffered simple injury, I am inclined to enlarge the petitioner on anticipatory bail, with certain conditions:



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5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Devakottai, 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.

[b]the petitioner shall also report before the De-addiction Centre at Thanjavur Government Medical College and Hospital and if the center finds that he is addicted to alcohol, treatment will be given to him and the said fact will be intimated to the investigating officer.

[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].

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

sd/-
04/10/2024

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/10/2024

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

SJI

To
1 THE JUDICIAL MAGISTRATE
DEVAKOTTAI.



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
DEVAKOTTAI TALUK POLICE STATION, SIVAGANGAI DISTRICT

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

COPY TO:

THE OFFICER INCHARGE,
DEADDICTION CENTRE AT THANJAVUR
GOVERNMENT MEDICAL COLLEGE AND HOSPITAL,
THANJAVUR.

ORDER

IN

CRL OP(MD) No.16949 of 2024

Date :04/10/2024

SS/JGB/SAR- /18/10/2024/ 5P/6C

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