



CRL OP(MD). No.17156 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.17156 of 2024

M.Gowri Sankar,

... Petitioner/ A1

Vs

The State of Tamilnadu,  
Represented by the Inspector of Police,  
Puthukadai Police Station,  
Kanyakumari District  
(Crime No.290 of 2024)

... Respondent/Complainant

For Petitioner : Mr.F.Deepak  
Advocate

For Respondent : Mr.R.M.Anbunithi,  
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of the Bharatiya Nagarik Suraksha Sanhita.

PRAYER :-

For Anticipatory Bail in Crime No.290 of 2024 on the file of the Respondent Police.

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



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**ORDER :** The Court made the following order :-

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 126(2), 115(2) and 351(3) of the Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No.290 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 16.09.2024, when the de-facto complainant, after having liquor, was on his way back from a tasmac shop, the petitioner and the other accused had intercepted the de-facto complainant with two wheelers and attacked him. Hence, this case.

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

4. Considering the fact that the occurrence took place on account of a temple festival, and considering the fact that the injured person has been discharged from the hospital, and also considering the fact that there are no other antecedents as against the petitioner, I am inclined to enlarge the petitioner on anticipatory bail.



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5. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate II Court, Kuzhithurai, Kanyakumari District 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 report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for the interrogation.

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



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(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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-  
04/10/2024

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

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TO

1.The Judicial Magistrate II Court, Kuzhithurai, Kanyakumari District



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2.Do-Through The Chief Judicial Magistrate,  
Kanyakumari District @ Nagercoil.

3.The Inspector of Police,  
Puthukadai Police Station,  
Kanyakumari District

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

ORDER  
IN  
CRL OP(MD) No.17156 of 2024  
Date :04/10/2024

RK/JGB (18/10/2024) 5P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from  
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