



CRL OP(MD). No.18930 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18930 of 2024

1. Amarnath

2.Paunraj

... Petitioners/ Accused No.1 & 4

Vs

The State of Tamil Nadu rep by its,
The Inspector of Police,
Vadamadurai Police Station,
Dindigul District.
Crime No.414 of 2024.

... Respondent/ Complainant

For Petitioners: M/s.Sankar.S,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

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



CRL OP(MD). No.18930 of 2024

PRAYER :-

For Anticipatory Bail in Crime no.414 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioners/ A1 & A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(1) and 351(3) of BNS Act, 2023, in Crime No.414 of 2024, seek anticipatory bail.

2.The case of the prosecution is that when the defacto complainant was driving his two wheeler, A3, who travelled in a two wheeler in front of the defacto complainant's two wheeler, is said to have spitted on the defacto complainant. When the same was questioned by the defacto complainant, the petitioners and the other accused are said to have abused the defacto complainant in filthy language and attacked him with their hands, legs, and helmet. Hence, the complaint.

3.Heard both sides.

4. Considering the nature of the allegations in this case and considering the fact that the matter relates to case and counter and that the injured was discharged from the hospital and that there are no other antecedents against the petitioners, this Court



CRL OP(MD). No.18930 of 2024

is inclined to grant anticipatory bail to the petitioners with certain conditions.

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5. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Vadasandur, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners 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 petitioners shall report before the respondent police daily at 10.30 am for a period of two weeks and thereafter, as and when required for interrogation;

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

(d) the petitioners shall not abscond either during investigation or trial;



CRL OP(MD). No.18930 of 2024

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(e)on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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/-
30/10/2024

/ TRUE COPY /

/11/2024

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

DSS

TO

1. THE THE JUDICIAL MAGISTRATE COURT, VADASANDUR,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL.

3. THE INSPECTOR OF POLICE,
VADAMADURAI POLICE STATION,
DINDIGUL DISTRICT.

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CRL OP(MD). No.18930 of 2024

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

+1 CC to M/s.S.SANKAR, Advocate (SR-13465[I] dated 30/10/2024)

ORDER
IN
CRL OP(MD) No.18930 of 2024
Date :30/10/2024

RK/VR (21/11/2024) 5P / 6C

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