



CRL OP(MD). No.17443 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.17443 of 2024

1. Balasingam,
2. Marselin Nelson,

... Petitioners/ Accused No.2 & 3

Vs

The State of Tamilnadu,
Rep by the Inspector of Police,
Periyakulam Police Station,
Theni District.
Crime No.204 of 2024..

... Respondent/Complainant

For Petitioner : M/s.Vishnu J., 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.204 of 2024 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioners/ A2 & A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 189(2), 126(2), 296(b), 351(2) of the Bharatiya Nyaya Sanhita Act, 2023, and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in Crime No.204 of 2024, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant namely, Sudha is working as Manager at Canara Bank at Periyakulam. The petitioners are said to have applied for the loan under the Scheme of Women Self Help. When the defacto complainant refused to accept the same, they threatened her and abused him in filthy language. Hence, the complaint.

3.Heard both sides.

4. Considering the nature of the allegations that the petitioners threatened the defacto complainant, who is the Manager of the bank even on the way from the police station, when he had lodged a complaint in respect of the earlier threat, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 learned Judicial Magistrate Court, Periyakulam, Theni District, on condition that the petitioners shall execute a bond for



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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 stay at Madurai and report before the Othakadai police station daily at 10.30 am for a period of three 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;

(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;



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229-A IPC.
(f)if the accused thereafter abscond, a fresh FIR can be registered under Section

sd/-
16/10/2024

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

DSS

TO

1 THE JUDICIAL MAGISTRATE
COURT PERIYAKULAM,
THENI DISTRICT.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT.

3 THE INSPECTOR OF POLICE,
PERIYAKULAM POLICE STATION,
THENI DISTRICT.

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

COPY TO
THE INSPECTOR OF POLICE
OTHAKADAI POLICE STATION, MADURAI.



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ORDER
IN
CRL OP(MD) No.17443 of 2024
Date :16/10/2024

PSP/ MMS /SAR /29.10.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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