



CRL OP(MD). No.17287 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 09/10/2024

PRESENT

THE HON`BLE MR.JUSTICE K.RAJASEKAR

CRL OP(MD). No.17287 of 2024

1.Sathishkumar
2.Priyanka

... Petitioners/ Accused No.1 & 2

Vs

The Inspector of Police,
Kanakiliyanallur Police Station,
Trichy District.
(Crime No. 152/2024.)

... Respondent/Complainant

For Petitioners : Mr.C.Karthikeyan, Advocate.
For Respondent : Mr.P.Kottaichamy, Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.152 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioners/ Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 351(2) of BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in



CRL OP(MD). No.17287 of 2024

connection with Crime No.152 of 2024, on the file of the respondent police, seek
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anticipatory bail.

2.The case of the prosecution is that on 26.09.2024, when the defacto complainant visited her grand mother's house, the petitioners herein have abused her in filthy language, attacked and threatened her with dire consequences. Hence, the complaint.

3.The learned counsel for the petitioners submits that the petitioners are none other than the brother-in-law and sister of the defacto complainant. In fact, the defacto complainant made a quarrel with the petitioners, on the date of occurrence, when the second petitioner's grandmother was in death bed.

4.The learned Government Advocate(Crl.side) appearing for the respondent submits that the petitioners and the defacto complainant and blood relatives and the injuries sustained by the defacto complainant are simple in nature.

5.Considering the fact that the petitioners and the defacto complainant are blood relatives and also considering the fact that the injuries are simple in nature, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the



CRL OP(MD). No.17287 of 2024

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learned Judicial Magistrate, Lalgudi, Trichy, on condition that the petitioners shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each 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 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 one week.
- (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 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;



CRL OP(MD). No.17287 of 2024

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

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

VRN

TO

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

+1 CC to M/s.C.KARTHIKEYAN, Advocate (SR-12359[I] dated 09/10/2024)

ORDER

IN

CRL OP(MD) No.17287 of 2024

Date :09/10/2024

RS/JGB/SAR-(16.10.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
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