



CRL OP(MD). No.17265 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**

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1.R.Pasupathivalavan @ Punniyamoorthy

2.R.Vadivukkarasi

... Petitioners/ Accused No.1 & 2

Vs

The State,
Rep by the Inspector of Police,
Papanasam Police Station,
Thanjavur District.
Crime No.794 of 2024.

... Respondent/Complainant

For Petitioner : Mr.R.L.Dhilipan Pandian, 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. 794 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/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2) and 351 (2) BNS and Section 4 of TNPHW Act, in Crime No.794 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity between the parties, the accused have abused the defacto complainant in filthy language and also threatened him with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioners submits that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that there are no previous cases pending against the petitioners.

5.Considering the facts and circumstances of the case and also considering the



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fact that there are no bad antecedents as against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, this 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 learned Judicial Magistrate, Papanasam, Thanjavur District, 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;



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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/-
09/10/2024

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/10/2024

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

JBR

TO

- 1 THE JUDICIAL MAGISTRATE
PAPANASAM, THANJAVUR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.
- 3 THE INSPECTOR OF POLICE,
PAPANASAM POLICE STATION,
THANJAVUR DISTRICT.



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

ORDER
IN
CRL OP(MD) No.17265 of 2024
Date :09/10/2024

SS/VR/SAR- /17/10/2024/5P/5C

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