



CRL OP(MD). No.17331 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.17331 of 2024

Kalaiyarasan

... Petitioner/ Accused Rank Not Known

Vs

The Inspector of Police,
Nerkuappai Police Station,
Sivagangai District.

Crime No.Not Known of 2024

... Respondent/Complainant

For Petitioner : Mr.P.Thangapandi, Advocate
For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SEC 482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.not known of 2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1) and 351(3) BNS, in Crime No.65 of 2024, seeks anticipatory bail.



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2.It is reported that while filing this petition, the crime number is not known to the petitioner. Subsequently, a copy of the FIR in Crime No.65 of 2024 has been furnished to the petitioner.

3.The case of the prosecution is that due to previous motive, there was a wordy quarrel between the petitioner and the defacto complainant. Therefore, the petitioner has assaulted the defacto complainant. Hence, the complaint.

4.The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.

5.The learned Government Advocate (Crl.Side) appearing for the respondent Police submits that the defacto complainant sustained simple injury and now, the injured has been discharged from the hospital. He further submits that no previous case is pending as against the petitioner.

6.Considering the facts and circumstances of the case, the antecedent of the petitioner and also considering the fact that the injured was discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen



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days from the date of receipt of a copy of this order, before the learned Judicial Magistrate cum District Munsif Court, Singampunari, Sivagangai District, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen 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 am for a period of one week;

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

(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;



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(f)if the accused thereafter absconds, a fresh FIR can be registered under Section

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229-A IPC.

sd/-
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/10/2024

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

LR
TO

- 1 THE JUDICIAL MAGISTRATE CUM DISTRICT MUNSIF, SINGAMPUNARI,
SIVAGANGAI DISTRICT.
- 2 DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.
- 3 THE INSPECTOR OF POLICE, NERKUAPPAI POLICE STATION,
SIVAGANGAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.A.VADIVEL, Advocate (SR-12344[I] dated 09/10/2024)

ORDER IN
CRL OP(MD) No.17331 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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