



CRL OP(MD). No.17314 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.17314 of 2024

Balamurugan,

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,
Rep by the Inspector of Police,
Thirupullani Police Station,
Ramanathapuram District.
Crime No. 167/2024.

... Respondent/Complainant

For Petitioner : Mr.J.Vishnu,Advocate.

For Respondent : Mr.P.Kottaichamy

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.167of 2024 on the file of the respondent
Police.



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ORDER : The Court made the following order :-

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1) of BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in connection with Crime No.167 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 01.10.2024, due to previous enmity, the petitioner has attacked the defacto complainant and caused head injury to him. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution.

4.The learned Government Advocate(Crl.side) appearing for the respondent submits that the injured has been discharged from the hospital. No previous case is pending as against this petitioner.

5.Considering the fact that the injured has been discharged from the hospital and also the fact that no previous case is pending as against this petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, this Criminal Original Petition is allowed and the



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petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Additional Mahila Magistrate Court, Ramanathapuram, Ramanathapuram District, on condition that the petitioner 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 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



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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;

(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.

VRN

TO

1 THE JUDGE,
ADDITIONAL MAHILA MAGISTRATE COURT,
RAMANATHAPURAM, RAMANATHAPURAM DISTRICT,.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

3 THE INSPECTOR OF POLICE,
THIRUPULLANI POLICE STATION,
RAMANATHAPURAM DISTRICT.



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

ORDER
IN

CRL OP(MD) No.17314 of 2024

Date :09/10/2024

PSP/ VR /SAR /23.10.2024/ 5P/ 5C

Madurai Bench of Madras High Court is issuing certified
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