



CRL OP(MD). No.17302 of 2024

WEB COPY

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.17302 of 2024

S.Immanuel Rex,

... Petitioner/2nd Accused

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Somarasampettai Police Station,
Trichy District.
Crime No. 254/2024.

... Respondent/Complainant

For Petitioner :Mr.T.Lenin Kumar
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. 254 of 2024 on the file of the Respondent police.



CRL OP(MD). No.17302 of 2024

WEB COPY

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, 115(2) of BNS, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002, in connection with Crime No.254 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 27.09.2024, the petitioner is said to have abused the defacto complainant and his wife, who are none other than his father-in-law and mother-in-law, respectively, by using filthy language. Hence, the complaint.

3.The learned counsel for the petitioner submits that the petitioner and the defacto complainant's daughter loved each other and got married against the wish of their family members. The petitioner's mother-in-law gave ill-advice to her daughter. Therefore, a dispute arose.



CRL OP(MD). No.17302 of 2024

WEB COPY

4.The learned Government Advocate(Crl.side) appearing for the respondent submits that the petitioner and the defacto complainant are son-in-law and father- in-law and the injuries sustained by the defacto complainant are simple in nature. No previous case is pending as against this petitioner.

5.Considering the fact that the petitioner and the defacto complainant are relatives, considering the fact that the injuries are simple in nature 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 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 Judicial Magistrate No.V, Trichy, 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:



CRL OP(MD). No.17302 of 2024

WEB COPY

- (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;



CRL OP(MD). No.17302 of 2024

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

WEB COPY

Section 229-A IPC.

sd/-

09/10/2024

/ TRUE COPY /

/10/2024

Sub-Assistant Registrar

(C.S. I / II / III / IV)

Madurai Bench of Madras High Court,

Madurai - 625 023.

VRN
TO

- 1 THE JUDICIAL MAGISTRATE NO.V
TRICHY.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.
- 3 THE INSPECTOR OF POLICE,
SOMARASAMPETTAI POLICE STATION, TRICHY DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.17302 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