



CRL OP(MD). No.17364 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.Nagarajan @ Kannan

2.Latha

3.Jeyanthi

4.Alagarsamy

... Petitioners/ Accused Nos.1 to 4

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Vadamadurai Police Station,
Dindigul.
(Crime No. 450 of 2024)

... Respondent/Complainant

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.450 of 2024 on the file of the Respondent

police.

<https://www.mhc.tn.gov.in/judis>



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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), 118, 351(3) of BNSS and Section 4 of TNPHW Act in connection with Crime No.450 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous civil dispute existed between the petitioners / Accused Nos.1 to 4 and the defacto complainant, the petitioners have attacked the defacto complainant with wooden log. In this incident, the defacto complainant has sustained injuries. Hence the complaint.

3. The learned counsel for the petitioners submits that there was a civil dispute between the defacto complainant and the petitioners herein and a civil suit is pending between them. By giving criminal color to the civil dispute, a false case has been given.

4. The learned Government Advocate(Crl.side) appearing for the respondent submits that a civil suit is pending between the parties. No previous case is pending against any of them. The injury sustained by the defacto complainant is simple in nature and he was treated as out patient.

5. Considering the facts and circumstances of this case and also the fact that a civil suit is pending between the petitioners and the defacto complainant, this Court



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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 learned Judicial Magistrate, Vedasanthur, Dindigul, 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



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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.

PNN

TO

1 THE JUDICIAL MAGISTRATE
VEDASANTHUR, DINDIGUL.

2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.

3 THE INSPECTOR OF POLICE,
VADAMADURAI POLICE STATION,
DINDIGUL.



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

ORDER
IN
CRL OP(MD) No.17364 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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