



CRL OP(MD). No.17383 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.17383 of 2024

1.Selvakaviya
2.Ganesan

... petitioners/ Accused Nos.1 & 2

Vs

The State rep. by
the Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.
Crime No. 106/2023.

... Respondent/Complainant

For petitioners : Mr.K.Bharathi, 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. 106 of 2023 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners/accused, who apprehend arrest at the hands of the respondent

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



CRL OP(MD). No.17383 of 2024

police for the offences punishable under Sections 294(b), 323 and 506(2) IPC in Crime.No.106 of 2023, seek anticipatory bail.

2.The case of the prosecution is that due to family dispute there was a wordy quarrel arose between the parties and that the petitioners herein have threatened the defacto complainant by showing the knife and also abused him in filthy language. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution and their names have been falsely implicated in this case and he prays for granting anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that there was a family dispute between the parties and now, the injured was discharged from the hospital. He would further submit that there is no previous case pending against the petitioners.

5. Considering the nature of allegation against the petitioners and that the injured was discharged from the hospital and that there are no other bad antecedents against the petitioners, I am inclined to enlarge petitioners on anticipatory bail with certain conditions.

6. Accordingly, the petitioners is ordered to be released on bail in the event of



CRL OP(MD). No.17383 of 2024

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.I, Ramanathapuram, 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 and thereafter, as and when required for interrogation;

(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 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;

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



CRL OP(MD). No.17383 of 2024

WEB COPY

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

TRP

TO

1 THE JUDICIAL MAGISTRATE
NO.I, RAMANATHAPURAM.

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

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

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

ORDER
IN

CRL OP(MD) No.17383 of 2024

Date :09/10/2024



CRL OP(MD). No.17383 of 2024

WEB COPY

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

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