



CRL OP(MD). No.17412 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.17412 of 2024

1. Vinoli,

2. Rosita,

... Petitioners/ Accused Rank not known

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Uvari Police Station, Tirunelveli District
(Crime No. 162 of 2024).

... Respondent/Complainant

For Petitioners : Mr.R.Pon Karthikeyan,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No. 162 of 2024 on the file of the respondent Police.



CRL OP(MD). No.17412 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 296(b), 118(b) and 351(3) of B.N.S and Sections 3 and 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.162 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to money dispute between the petitioners and the defacto complainant, the petitioners attacked the defacto complainant and caused simple injury to him. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that there was some money dispute between the first accused and the defacto complainant. He would further submit that since the petitioners are close relatives of the first accused, they have been falsely implicated in this case.

4. The learned Government Advocate (Criminal Side) appearing for the respondent Police would submit that the petitioners along with other accused persons attacked the defacto complainant and caused injury to him.



CRL OP(MD). No.17412 of 2024

WEB COPY

5. Considering the nature of allegations that the occurrence arose on account of money dispute between the parties and considering the fact that the petitioners are close relatives of the first accused, this Court is inclined to enlarge the petitioners on anticipatory bail with certain conditions:

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Rathapuram, Tirunelveli District, 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 the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition 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 a.m., for a

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



CRL OP(MD). No.17412 of 2024

period of one week and thereafter, as and when required for interrogation.

WEB COPY

[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].

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

sd/-
09/10/2024

/ TRUE COPY /

/10/2024

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

TSG

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



CRL OP(MD). No.17412 of 2024

TO
WEB COPY

1.THE JUDICIAL MAGISTRATE, RATHAPURAM, TIRUNELVELI DISTRICT,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI.

3.THE INSPECTOR OF POLICE,
UVARI POLICE STATION, TIRUNELVELI DISTRICT

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

+1 CC to M/s.R.PONKARTHIKEYAN, Advocate (SR-12369[I] dated 10/10/2024)

ORDER

IN

CRL OP(MD) No.17412 of 2024

Date :09/10/2024

RK/JGB (16/10/2024) 5P / 6C

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