



CRL OP(MD)No.17526 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 23.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.17526 of 2024

S.Namburaj

... Petitioner/Sole Accused

Vs

The Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.
(Crime No.163 of 2024)

... Respondent/Complainant

For Petitioner : Mr.S.Ramsundarvijayraj, Advocate.

For Respondent : Mr.A.Albert James
Government Advocate (Crl. side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.163 of 2024 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police for the alleged offence under Sections 296(b), 115(2), 118(1), 351(3) of BNS Act, 2023



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in Crime No.163 of 2024, seeks anticipatory bail.

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2. The case of the prosecution is that due to wordy quarrel between the parties, the petitioner abused the defacto complainant in filthy language and also attacked him. Hence, the complaint.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Considering the nature of allegation in this case that the defacto complainant is said to have given a matchbox to the petitioner, which was not lighting and on account of which the petitioner is said to have attacked the defacto complainant, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of his 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, Paramakudi, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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:



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(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 three weeks and thereafter as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(c) petitioner shall also report before the Alcohol deaddiction Centre at Government Rajaji General Hospital, Madurai and the Centre shall examine them if they have any alcohol addiction and appropriate treatment shall also be given and the said fact shall be intimated to the Investigation Officer.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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;



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(g)if the accused thereafter absconds, a fresh FIR can be registered under
Section 229-A IPC.

sd/-
23/10/2024

/ TRUE COPY /

/11/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

JBR

To

- 1.The Judicial Magistrate,
Paramakudi.
- 2.Do through the Chief Judicial Magistrate,
Ramanathapuram District.
- 3.The Inspector of Police,
Emaneswaram Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to:

The Officer Incharge,
Alcohol Deaddiction Centre,
Government Rajaji General Hospital, Madurai.



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+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-59671[F] dated
23/10/2024)

ORDER
IN

CRL OP(MD) No.17526 of 2024

Date :23/10/2024

ED/ MMS /SAR- (15/11/2024) 5P / 7C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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