



CRL OP(MD)No.17658 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 17.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.17658 of 2024

1. Arun Pandi

2. Iyappan

3. Dhanapal

... Petitioners/ Accused Rank not Known

Vs

The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
Crime No.371 of 2024

... Respondent/ Complainant

For Petitioners: Mr.M.Jegadeesh Pandian, Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.371 of 2024 on the file of the Respondent



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ORDER: The Court made the following order :-

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The petitioners / Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 115(2), 303(2), 324(4), 351(3) of BNS, 2023, in Crime No.371 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity between the parties, the petitioners are said to have abused the defacto complainant in filthy language and also assaulted him and also damaged the glass of BMW Car. Hence, the complaint.

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

4.As far as the petitioners 1 and 3 are concerned, the learned Counsel for the petitioners submitted that he is not pressing this application. Therefore, this petition is dismissed as not pressed in respect of petitioners 1 and 3.

5.As far as the second petitioner is concerned, considering the nature of allegation in this case that the second petitioner along with other accused is said to have threatened the defacto complainant at time of inspection of the property, I am inclined to enlarge the second petitioner on anticipatory bail with certain conditions.

6.Accordingly, this Petition is allowed and the second petitioner is ordered to be released on bail in the event of arrest or his appearance, within a period of fifteen



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days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Karaikudi, Sivagangai District, on condition that the second 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:

(a) the second petitioner and the sureties shall affix his 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 second petitioner shall report before the respondent police daily at 10.30 a.m., 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) the second petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the second 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by



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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 absconds, a fresh FIR can be registered under Section 229-A IPC.

sd/-
17/10/2024

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/ 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
KARAIKUDI, SIVAGANGAI DISTRICT.

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

3 THE INSPECTOR OF POLICE,
KARAIKUDI NORTH POLICE STATION,
SIVAGANGAI DISTRICT,

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

+1. CC to M.JEGADEESH PANDIAN Advocate SR.No.12590(I) dated 17/10/2024



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ORDER
IN
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Date :17/10/2024

PSP/ MMS /SAR /18.11.2024/ 5P/ 6C

Madurai Bench of Madras High Court is issuing certified
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