



CRL OP(MD)No.17650 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.17650 of 2024

A.Muthu Kumar

... Petitioner/ A-2

Vs

The Inspector of Police,
Meignanpuram Police Station,
Thoothukudi District.
Crime No.109 of 2024

... Respondent/ Complainant

For Petitioner : Mr.K.P.Narayanakumar
Advocate.

For Respondent : Mr.A.Albert James
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.109 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 126(2), 296(b), 127(2) and 351(3) of BNS, 2023, in

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



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Crime No.109 of 2024, seeks anticipatory bail.

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2. The case of the prosecution is that due to previous enmity between the parties, the petitioner is said to have abused the defacto complainant in filthy language and assaulted 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 on account of previous enmity, the petitioner is said to have attacked the defacto complainant and considering the fact that it is a case and counter and also considering the fact that there is no previous antecedent as against the petitioner , 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, Sathankulam, on condition that the petitioner shall execute a bond for a sum of



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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 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 a.m., for a period of two 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 petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the 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 petitioner in accordance with



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law as if the conditions have been imposed and the petitioner released on bail by the
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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

/ TRUE COPY /

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

jbr

TO

1. THE JUDICIAL MAGISTRATE, SATHANKULAM,
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.
- 3.THE INSPECTOR OF POLICE,
MEIGNANPURAM POLICE STATION,
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.



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WEB COPY +1 CC to M/s.K.P.NARAYANA KUMAR, Advocate (SR-12670[I] dated 18/10/2024)

ORDER
IN
CRL OP(MD) No.17650 of 2024
Date :17/10/2024

RK/VR (19/11/2024) 5P / 6C

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