



CRL OP(MD). No.17825 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 19/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.17825 of 2024

Karthik

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu rep by
The Inspector of Police,
Town South Police Station,
Thanjavur District.
(Crime No.341 of 2024)

... Respondent/ Complainant

For Petitioner : M/s.R.Maheswaran, 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.341 of 2024 on the file of the Respondent Police.



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ORDER: The Court made the following order :-

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The petitioner/ A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 351(3) of BNS, and Section 25(1A) of Arms Act, 1959, in Crime No.341 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 30.07.2024 when the de-facto complainant returned to home after finishing his work along with his colleague, the accused persons came there and sprayed charcoal on them. When the same was questioned by the de-facto complainant, the accused persons abused him by using filthy language. Hence, the case was registered.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he is no way connected with the alleged offence and he is falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioner.

4.Heard the learned Government Advocate(Crl.sdie) appearing for the State.

5.Considering the nature of the allegation against the petitioner that the petitioner along with two other persons said to have been threatened the de facto complainant by wielding a weapon, I am inclined to enlarge the petitioner on anticipatory bail.



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6. Accordingly, this Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or his appearance, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Thanjavur District.

(i)the sureties shall affix his photographs and left thumb impression in the surety bond and the Magistrate/concerned court may obtain a copy of his Aadhar card or Bank Pass Book to ensure his identity;

(ii)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;

(iii)the petitioner shall not tamper with evidence or witness;

iv)the petitioner shall not abscond during trial.

v)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].



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(vi)if the accused thereafter absconds, a fresh FIR can be registered under Section

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229-A IPC.

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

NS

To

1.The Judicial Magistrate No.I,
Thanjavur District.

2.Do through the Chief Judicial Magistrate,
Thanjavur District at Kumbakonam.

3.The Inspector of Police,
Town South Police Station,
Thanjavur District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.MAHESWARAN, Advocate (SR-12816[I] dated 21/10/2024)

ORDER
IN
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Date :19/10/2024



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