



CRL OP(MD). No.17833 of 2024

WEB COPY 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.17833 of 2024

1.Kodeeshwaran
2.Murugesan
3.Aandammal
4.Revathi

... Petitioners/ Accused Nos2to5

Vs

The State rep by
The Inspector of Police
Kottampatti Police Station
Madurai
(Crime No.312 of 2024)

... Respondent/Complainant

For Petitioners : M/s.S.Subramanian
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.312 of 2024 on the file of the Respondent Police.



CRL OP(MD). No.17833 of 2024

WLB COPY
ORDER : The Court made the following order :-

The petitioners/ A2 to A5, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 191(2) 191(3), 296(b), 115(2), 118(1), 351(2) BNS and Section 4 of Tamil Nadu Women Harassment Act, in Crime No.312 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that when the de-facto complainant while ploughing his field went through the first petitioner's land, the first petitioner attacked him with a long steel and other accused also attacked with aruval and tore his wife's blouse. Hence, the case was registered.

3.The learned counsel for the petitioners would submit that the petitioners are innocent and they are no way connected with the alleged occurrence. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate(Crl.side) appearing for the State would submit that the injured had already been discharged from the hospital.

5.Considering the nature of the allegation against the petitioner that on account of land dispute, the petitioners attacked the de-facto complainant and that the injured discharged from the hospital and only considering the fact that the petitioner do not have any other antecedents, I am inclined to enlarge the petitioners on anticipatory

bail

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



CRL OP(MD). No.17833 of 2024

6. Accordingly, the Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of their arrest or their 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, Melur.

(i) 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;

(ii) the petitioners 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;

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioners shall not abscond either during investigation or trial;

(v) 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]; and;



CRL OP(MD). No.17833 of 2024

WEB COPY

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

sd/-
19/10/2024

/ TRUE COPY /

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

NS

TO

1 JUDICIAL MAGISTRATE
MELUR

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE, KOTTAMPATTI
POLICE STATION MADURAI DISTRICT

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

+1. CC to M/S. SUBRAMANIAN.A Advocate SR.No.12707(I) dated 18/10/2024

ORDER
IN
CRL OP(MD) No.17833 of 2024
Date :19/10/2024



CRL OP(MD). No.17833 of 2024

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

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