



CRL OP(MD). No.17921 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.17921 of 2024

T.Subadesh Kumar @ Subadesh Kumar ... Petitioners/ Accused No.2

Vs

State of Tamil Nadu rep by
The Inspector of Police,
Manachanallur Police Station,
Trichy District.
(Crime No.239 of 2024)

... Respondent/Complainant

For Petitioner : Mr.N.Balasubramanian
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.239 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/ A2, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), ~~(**)329(4)~~, 115(2), 118(1), 351(3) of B.N.S and r/w Section 4 of TNPHW Act 2002, in Crime No.~~(*)239~~ of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 12.10.2024 due to previous motive the first accused along with the petitioner had trespassed into the de-facto complainant's house and assaulted him and his wife with a wooden log. Hence, the case was registered.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and a false case has been foisted against him. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate(Crl.sdie) 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 the advice given not to take liquor and the petitioner and his brother are said to have attacked the de-facto complainant and the injured discharged from the hospital and considering the fact that there are no other antecedents in respect of the



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petitioner, 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 Additional Mahila Court, Trichy 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 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;

(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



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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 229-A IPC.

sd/-
19/10/2024

(*)(**)For Amended as per Order of the Court dt.16/12/2024 in Crl.MP(MD).13710/2024 in Crl.OP(MD).17921/2024 by NAVJ.

Further Time granted for surrender is extended for a further period of one week from the date of receipt of a copy of this order. It is made clear that no further extension of time will be granted by this Court.

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/12/2024

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

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TO

TO BE SUBSTITUTED WITH THE ORDER DT.19/10/2024 IS ALREADY DESPATCHED

1 THE ADDITIONAL MAHILA JUDGE,
TRICHY DISTRICT.

2 THE INSPECTOR OF POLICE,
MANACHANALLUR POLICE STATION, TRICHY DISTRICT.

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



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WEB COPY +1 CC to M/s.N.BALASUBRAMANIAN, Advocate (SR-15565[I] dated 18/12/2024)

ORDER
IN
CRL OP(MD) No.17921 of 2024
Date :19/10/2024

SS/VR/SAR- /21/11/2024/ 5P/5C
PNM

SA/VR/SAR. /30/12/2024/5P/5C

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