



CRL OP(MD). No.18046 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18046 of 2024

Boomiraj

... Petitioner/ Accused No.2

Vs

The State of Tamilnadu,
Represented by the Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District
(Crime No.360 of 2024)

... Respondent/ Complainant

For Petitioner : Mr.K.Malaimaran, Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of the Bharatiya Nagarik Suraksha Sanhita.

PRAYER :-

For Anticipatory Bail in Crime No.360 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), 118(1) of BNS Act read with Section 4 of TNPWH Act in Crime No.360 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 02.10.2024, while the rituals were conducted on account of the death of the de-facto complainant's mother, the petitioner had abused the de-facto complainant in filthy language, and had also attacked her. Hence, this case.

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

4. Considering the nature of the occurrence which arose during the rituals conducted on account of the death, and considering the fact that the occurrence took place between the relatives, I am inclined to enlarge the petitioner on anticipatory bail.

5. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Additional Mahila Court, Sivagangai, on condition that the petitioner shall execute a bond for a



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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 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 the interrogation.

(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 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]; and;



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

sd/-
21/10/2024

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

MKN

To

1.The Judicial Magistrate,
Additional Mahila Court, Sivagangai.

2.Do through the Chief Judicial Magistrate,
Sivagangai District.

3.The Inspector of Police,
Sivagangai Taluk Police Station,
Sivagangai District.

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

+1 CC to M/s.K.MALAIMARAN, Advocate (SR-12825[I] dated 21/10/2024)

ORDER
IN
CRL OP(MD) No.18046 of 2024
Date :21/10/2024



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ED/ MMS /SAR- (14/11/2024) 5P / 6C

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