



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 23.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.18015 of 2024

1. Karthi @ Kathikeyan
2. Sabari @ Prasanth
3. Rahul

... Petitioners/ Accused No.2, 5 & 8

Vs

The State of Tamil Nadu,
Rep.by.The Inspector of Police,
Edamalaipattipudur Police Station,
Trichy District.
Crime No.552 of 2024

... Respondent/ Complainant

For Petitioners: Mr.P.Sivachandran
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.552 of 2024 on the file of the
Respondent police.



ORDER : The Court made the following order :-

The petitioners/Accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 115, 127(2), 191(1), 296 (b) and 303(1) of BNS Act, 2023, in Crime No.552 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity with regard to purchase of ganja, the petitioners have attacked the defacto complainant and caused injury. 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 the petitioners are said to have attacked the defacto complainant and his friend on the ground that they did not come for purchase of ganja and the learned Counsel for the petitioners would argue that it is the defacto complainant who threatened the petitioners for not giving them ganja and only considering the fact that there are no bad antecedents as against the petitioners, I am inclined to enlarge the petitioners on bail with certain conditions.

5.Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial

Magistrate No.II, Trichy, on condition that the petitioners shall execute a bond for a

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



sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 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;

(b) the petitioners shall report before the respondent police daily at 10.30 a.m., 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;

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

(d) the petitioners 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 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;



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

sd/-
23/10/2024

/ TRUE COPY

/ /2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

jbr

TO

1. The Judicial Magistrate No.II,
Trichy.

2.Do Through
The Chief Judicial Magistrate No.II,
Trichy.

3. The Inspector of Police,
Edamalaipattipudur Police Station,
Trichy District.

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

+1CC to M/s.S.ALAGUSUNDAR, Advocate SR.No.59504[F] dated 23/10/2024

CRL OP(MD) No.18015 of 2024
Date :23/10/2024

KVL/15.11.2024 4P/6C

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

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