



CRL OP(MD)No.18182 of 2024

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.18182 of 2024

Suresh

... Petitioner/ A5

Vs

The Inspector of Police,
Koomapatty Police Station,
Virudhunagaar District.
Crime No.132 of 2022

... Respondent/Complainant

For Petitioner : Mr.S.Sivaprakash,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec. 482 BNSS

PRAYER :- For Anticipatory Bail in Crime No.132 of 2022 on the file of the Respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent Police



CRL OP(MD)No.18182 of 2024

for the alleged offence under Sections 147, 148, 294(b) & 506(ii) of IPC in Crime

WEB COPY

No.132 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioner along with other accused abused the defacto complainant in filthy language and damaged the front gate of the house and also attacked the defacto complainant. 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 due to previous enmity, the petitioner and the other accused attacked the defacto complainant and that all of them were granted anticipatory bail including the petitioner in the year 2022 itself and it is submitted that the petitioner was not informed immediately to execute the sureties and by oversight the matter was left for the past two years and considering the fact that no action is being taken by the respondent police, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.



CRL OP(MD)No.18182 of 2024

WEB COPY

5. Accordingly, this Petition is allowed and the petitioner is ordered to be released on bail in the event of his arrest or his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned District Munsif cum Judicial Magistrate, Watrap, Virudhunagar District, on condition that the petitioner shall execute a bond for a 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 trial Court on all the hearing dates without fail.

(c) the petitioner except the date of hearings in the trial Court, 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;



CRL OP(MD)No.18182 of 2024

WEB COPY

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f)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;

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

sd/-
23/10/2024

/ TRUE COPY /

/11/2024

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

JBR



CRL OP(MD)No.18182 of 2024

TO
WEB COPY

- 1 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
WATRAP, VIRUDHUNAGAR DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE,
KOOMAPATTY POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.SIVA PRAKASH, Advocate (SR-12980[I] dated 23/10/2024)

ORDER
IN

CRL OP(MD) No.18182 of 2024

Date :23/10/2024

SS/SSN/SAR- /11/11/2024/ 5P/6C

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