



CRL OP(MD). No.18058 of 2024

WEB COPY

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.18058 of 2024

1. Parakkath Aysha,
2. Liyakkath Bahathiya,

... Petitioners/ Accused No.1 & 4

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Ervadi Dharga Police Station,
Ramanathapuram District.
Crime No. 156/2024..

... Respondent/Complainant

For Petitioners : Mr.R.Senthil Kumar,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.156 of 2024 on the file of the Respondent police.



CRL OP(MD). No.18058 of 2024

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 296(b), 115(2), 329(4), 324(4), 351(3), 303(1) of BNS Act, in Crime No.156 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel, the petitioners herein have attacked the defacto complainant and also abused him in filthy language. Hence, the case.

3. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent Police and perused the materials available on record.

4.Considering the nature of allegations that there is a dispute with reference to the Management of Dharga and that the petitioners attacked the defacto complainant with hands, I am inclined enlarge the petitioners on anticipatory bail.

5.Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of



CRL OP(MD). No.18058 of 2024

WEB COPY

receipt of a copy of this order, before the learned Judicial Magistrate No.II, Ramanathapuram, on condition that the petitioners shall execute 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 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 am for a period of three weeks and thereafter, as and when required for interrogation;

(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;



CRL OP(MD). No.18058 of 2024

(f)if the accused thereafter abscond, a fresh FIR can be registered under Section

WEB COPY
229-A IPC.

sd/-
21/10/2024

/ TRUE COPY /

/11/2024

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

TRP

TO

1 THE JUDICIAL MAGISTRATE NO.II
RAMANATHAPURAM.

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

3 THE INSPECTOR OF POLICE,
ERVADI DHARGA POLICE STATION,
RAMANATHAPURAM DISTRICT.

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

+1. CC to Mr.R.SENTHIL KUMAR Advocate SR.No.58768(F) DATED 21/10/2024



WEB COPY



CRL OP(MD). No.18058 of 2024

ORDER
IN
CRL OP(MD) No.18058 of 2024
Date :21/10/2024

SS/MMS/SAR- /05/11/2024/ 5P/6C

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