



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.18066 of 2024

1. Gurunathan,
2. Meenakshi,

... Petitioners/ Accused No.1 and 2

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.
Crime No. 426/2024..

... Respondent/ Complainant

For Petitioner : M/s.Dhansekarapandian.U,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

C-31AB. For Anticipatory Bail in Crime No. 426 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 296(b), 115(2), 118(1)

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and 351(3) of BNS Act, 2023 in Crime No.426 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to family dispute, 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 occurrence that it is a case and counter arising out of the members of the same family and that the injured was discharged from the hospital, 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 receipt of a copy of this order, before the learned Judicial Magistrate, Thiruppuvanam, 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

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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;

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

sd/-

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

TRP



1. learned Judicial Magistrate,
Thiruppuvanam,

2. Do-Through The Chief Judicial Magistrate,
Sivagangai District.

3. The State of Tamilnadu,
Rep. by the Inspector of Police,
Thiruppuvanam Police Station,
Sivagangai District.

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

+1 CC to M/s.U.DHANASEKARA PANDIAN, Advocate (SR-12814[I] dated
21/10/2024)

CRL OP(MD) No.18066 of 2024
Date :21/10/2024

KVL/18.11.2024 4P/6C

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