



CRL OP(MD). No.18173 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 05.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.18173 of 2024

Murugan

... Petitioner / Sole Accused

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Silaiman Police Station,
Madurai District.
(Crime No.257 of 2024)

... Respondent/Complainant

For Petitioner : M/s.Saravanan.A,
Advocate

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No.257/2024 on the file of the respondent police.

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



CRL OP(MD). No.18173 of 2024

ORDER : The Court made the following order :-

WEB COPY

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 296(b), 118(1), 351(3) and 74 of BNS Act, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, in Crime No.257 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 10.10.2024 at about 6.30 p.m., when the defacto complainant came back home, after completion of work and the petitioner/accused is said to have abused the wife of the defacto complainant and had also thrown the tiles and stones on the defacto complainant as well as his wife and they sustained injuries. Hence, the case.

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

4. Taking into consideration the facts and circumstances of the case and also the fact that there are no previous antecedents against the petitioner and the injured has been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions.



CRL OP(MD). No.18173 of 2024

WEB COPY

5. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.II, Madurai, 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 the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition 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 as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;



CRL OP(MD). No.18173 of 2024

WEB COPY

[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;

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

sd/-
05/11/2024

/ TRUE COPY /

/11/2024

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

pal

TO

1. THE JUDICIAL MAGISTRATE NO.II, MADURAI,

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.



CRL OP(MD). No.18173 of 2024

3.THE INSPECTOR OF POLICE,
SILAIMAN POLICE STATION,
MADURAI DISTRICT.

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

+1 CC to M/s.A.SARAVANAN, Advocate (SR-13591[I] dated 05/11/2024)

ORDER
IN
CRL OP(MD) No.18173 of 2024
Date :05/11/2024

RK/VR(21/11/2024) 5P / 6C
Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023