



CRL OP(MD). No.18525 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18525 of 2024

1.Muthaiah

2.Katta Raman @ Ramasamy

3.Gurusamy

... Petitioners/ Accused 1,3 & 4

Vs

The State rep. By
The Inspector of Police,
West Police Station,
Kovilpatti,
Thoothukudi District.
(Crime No.554 of 2024)

... Respondent/Complainant

For Petitioners : M/s.P.Ramesh,
Advocate

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

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



CRL OP(MD). No.18525 of 2024

PRAYER:-

For Anticipatory Bail in Crime No.554/2024 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 126(2), 127(2), 296(b), 118(1) & 351(3) of BNS, 2023, in Crime No.554 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioner and the other accused assaulted the de-facto complainant using with iron rod for demanding the property from him. Hence, the complaint.

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

4. Considering the nature of occurrence arising out of a civil dispute and considering the fact that the injured is discharged from the hospital, I am inclined to enlarge the petitioners on anticipatory bail with certain conditions.



CRL OP(MD). No.18525 of 2024

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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 No.II, Kovilpatti**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/-(Rupees Ten Thousand only) with two common 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 two weeks and thereafter, as and when required for the interrogation.

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



CRL OP(MD). No.18525 of 2024

WEB COPY

(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 first petitioner in accordance with law as if the conditions have been imposed and the first 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

sd/-
28/10/2024

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/11/2024

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

PAL

TO

1 THE JUDICIAL MAGISTRATE NO.II
KOVILPATTI.



CRL OP(MD). No.18525 of 2024

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI DISTRICT.

3 THE INSPECTOR OF POLICE,
WEST POLICE STATION, KOVILPATTI,
THOOTHUKUDI DISTRICT.

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

+1 CC to M/s.P.RAMESH, Advocate (SR-13318[I] dated 29/10/2024)

ORDER
IN

CRL OP(MD) No.18525 of 2024

Date :28/10/2024

SS/VR/SAR- /18/11/2024/ 5P/6C

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