



CRL OP(MD). No.18367 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.18367 of 2024

Maruthaiah

...Petitioner/ Sole Accused

Vs

The State rep. By
The Inspector of Police,
Vijayanarayanam Police Station,
Tirunelveli District.
(Crime No.264 of 2024)

... Respondent/Complainant

For Petitioners : M/s.Susi Kumar.C
Advocate

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No.264/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ Accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 131, 132, 351(3) of BNS Act, in Crime No.264 of 2024 on the file of the respondent police, seeks anticipatory bail.

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



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2. The case of the prosecution is that the petitioner had abused the de-facto complainant and threatened 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 the allegations that there was a marital discord between the petitioner and his wife and since the wife had called the police station, the de-facto complainant/police constable went to the spot and the petitioner also picked up quarrel with the de-facto complainant and threatened him, I am inclined to enlarge the petitioner on anticipatory bail with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Nanguneri, 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;



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(b) the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of three weeks and thereafter, as and when required for the interrogation.

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

(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 first 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 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



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TO

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1 THE JUDICIAL MAGISTRATE, NANGUNERI.

2 DO-THROUGH

THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE,

VIJAYANAGARAM POLICE STATION, TIRUNELVELI DISTRICT.

4. THE ADDITIONAL PUBLIC PROSECUTOR,

MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S. SUSI KUMAR.C Advocate SR.No.13396(I) dated 29/10/2024

ORDER

IN

CRL OP(MD) No.18367 of 2024

Date :28/10/2024

PSP/ GSV /SAR /21.11.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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