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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 24/10/2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD). No.18324 of 2024

1. N.Thangarasu,

2. T.Karuppaiya,

... Petitioners/ Accused Rank Not Known

Vs

State of Tamil Nadu,
The Inspector of Police,
Ponnamaravathi Police Station,
Pudukottai District.
(Crime No.Not Known of 2024).

... Respondent/Complainant

For Petitioners: K.Dinesh,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.190 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 191(2), 296(b), 115(2) and 351(2) of BNSS in Crime No.190 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioners are said to have abused the defacto complainant in filthy language and assaulted him with their hands and threatened him with dire consequences. Hence, the complaint.

3.Heard both sides.

4.Considering the nature of the allegations in this case that due to previous enmity, the petitioners are said to have attacked the defacto complainant with hands and there are no other antecedents against the petitioner, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5.Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court, Ponnamaravathi, 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 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 two 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.

DSS

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TO

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1. The Judicial Magistrate,
Ponnamaravathi..

2.Do Through,
The Chief Judicial Magistrate,
Pudukkottai.

3. The State of Tamil Nadu,
Rep.by.The Inspector of Police,
Ponnamaravathi Police Station,
Pudukottai District.

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

+1 CC to M/s.K.DINESH, Advocate (SR-13231[I] dated 28/10/2024)

CRL OP(MD) No.18324 of 2024

Date :24/10/2024

KVL/18.11.2024 4P/6C

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