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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 12/11/2024

PRESENT

The Hon`ble Mr.Justice **N.ANAND VENKATESH**
CRL OP(MD). No.19496 of 2024

Suresh @ Auto Suresh

... Petitioner/ Accused

Vs

The State of Tamil Nadu,
Rep By,
Thge Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.
Cr.No.289/2024.

... Respondent/Complainant

For Petitioner : M/s.J.Yogeswaran,

For Respondent : Mr.A.Albert James,

Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No.289 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Section 296(b), 118(1) and 351(3) of BNS (hereinafter referred to as new penal code) in Crime No.289 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the

parties and the accused persons are said to have abused the defacto complainant in



filthy language and attacked him with deadly weapon and caused injury. There are totally three accused persons in this case and the petitioner has been arrayed as A2.

3.The previous anticipatory bail petition filed by the petitioner in CrI.O.P(MD) No.17233 of 2024 was dismissed by this Court by order, dated 14.10.2024 on the ground that there are 14 previous cases pending against the petitioner.

4.The present anticipatory bail petition has been filed on the ground that it was not brought to the notice of this Court that out of 14 cases, 10 cases have been closed and only three cases are pending.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (CrI.Side) appearing for the respondent police.

6. Taking into consideration the facts and circumstances of the case and the manner, in which, the incident had taken place and also considering the fact that A1 has already been granted anticipatory bail by this Court in CrI.O.P(MD)No.14805 of 2024 by order, dated 04.09.2024 and four cases alone are pending against the petitioner, out of which, three cases are in the stage of trial and one case is at the stage of investigation, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is ordered and 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 learned **Judicial Magistrate No.I, Sivakasi**, 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] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] 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.

[c] the petitioner shall report before the **respondent police daily at 10.30 a.m for a period of four weeks** and thereafter, as and when required for interrogation.

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

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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;



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

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sd/-
12/11/2024

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/11/2024
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

LR

TO

1 THE JUDICIAL MAGISTRATE NO.I
SIVAKASI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE,
VIRUTHUNAGAR DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUTHANGAL POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

ORDER IN
CRL OP(MD) No.19496 of 2024
Date :12/11/2024

BV (25/11/2024) 4P/ 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.