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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 25.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.18495 of 2024

1. Varadharaj @ Varatharaju
2. Sundari Bai

... Petitioners/ A1 & A2

Vs

The State of Tamil Nadu,
Rep.by.The Inspector of Police,
Thathiyangarpeth Police Station,
Trichy District.
Crime No.152 of 2024

... Respondent/Complainant

For Petitioners: Mr.K.Prakash
Advocate.

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

PETITION FOR ANTICIPATORY BAIL UNDER SECTION.482 OF BNSS

PRAYER :- For Anticipatory Bail in Crime No.152 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 296(b), 115(2) and 118

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(1) of BNS, 2023, in Crime No.152 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to property dispute between the brothers, the petitioners are said to have abused the defacto complainant in filthy language and also assaulted him and caused injury. Hence, the complaint.

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

4.Considering the fact that the occurrence arose on account of property dispute between the brothers and that the injured was discharged from the hospital and also considering the fact that there are no bad antecedents against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5.Accordingly, this Petition is allowed and the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thuraiyur, Trichy District, 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 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

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card or Bank pass Book to ensure their identity;

(b) the first petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and the second petitioner shall report before the respondent police daily at 06.30 p.m., for a period of one week and thereafter, as and when required for interrogation. It is made clear that no relaxation of the condition for the said period will be entertained by this court;

(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 absconds, 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.



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1. The Judicial Magistrate,
Thuraiyur, Trichy District.
2. Do Through
The Chief Judicial Magistrate,
Trichy District.
3. The Inspector of Police,
Thathiyangarpur Police Station,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL OP(MD) No.18495 of 2024
Date :25/10/2024

KVL/15.11.2024 4P/5C

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