



CRL OP(MD)No.18778 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 29.10.2024

PRESENT

The Hon`ble Mr.Justice D.BHARATHA CHAKRAVARTHY

CRL OP(MD)No.18778 of 2024

1. Jegan
2. Karthick
3. Kavin
4. Rajaguru
5. Praveenkumar

...Petitioners/ Accused No.2, 7
and Rank not known

Vs

The Inspector of Police,
Allinagaram Police Station,
Theni District.
Crime No.313 of 2024

... Respondent/Complainant

For Petitioners : Mr.S.Muniyandi
Advocate.

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

For Intervenor : Mr.B.Sargunam, Advocate

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS / 438 of Cr.P.C



CRL OP(MD)No.18778 of 2024

PRAYER :- For Anticipatory Bail in Crime No.313 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), 324(4), 351(2) and 49 of BNS, 2023, in Crime No.313 of 2024, seek anticipatory bail.

2.The case of the prosecution is that due to civil dispute between the parties, 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 nature of allegation in this case that it is a case and counter and that the occurrence arose while constructing a tin shed in front side of the house of the defacto complainant, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CRL OP(MD)No.18778 of 2024

WEB COPY

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, Theni, 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 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 three weeks 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 create any further quarrel in the site as it is stated that the petitioners and the defacto complainant are neighbours and both are running



their shops.
WEB COPY



CRL OP(MD)No.18778 of 2024

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

(e)the petitioners 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 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;

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

sd/-
29/10/2024

/ TRUE COPY /

/11/2024

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

jbr
TO

1. THE JUDICIAL MAGISTRATE, THENI,



CRL OP(MD)No.18778 of 2024

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THENI.

3. THE INSPECTOR OF POLICE,
ALLINAGARAM POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.S.MUNIYANDI, Advocate (SR-13354[I] dated 29/10/2024)

ORDER
IN
CRL OP(MD) No.18778 of 2024
Date :29/10/2024

RK/MMS (19/11/2024) 5P / 6C

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