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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.18821 of 2024

1. Senthilnathan,
2. S.Chitra Devi,
W/o Senthilnathan,

... Petitioners/ Accused Nos.1 & 2

Vs

The State of Tamil Nadu,
Rep.by The Inspector of Police, R.S Mangalam
Police Station, R.S Mangalam Taluk,
Ramanthapuram District
Crime No.261/2024.

... Respondent/Complainant

For Petitioner : Athamali S.,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 261 of 2024 on the file of the respondent Police.



ORDER : The Court made the following order :-

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The petitioners/ A1 and A2, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 296, 118 and 351(2) of BNS in Crime No.261 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity on 22.10.2024 at 10.00 a.m., the accused attacked the de-facto complainant with wooden logs and abused him in filthy language and also threatened him. Hence, the case is registered.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and a false case has been foisted against them.

4. The learned Additional Public Prosecutor(Cri.Side) appearing for the respondent would submit that the injured had already been discharged from the hospital.

5.Considering the nature of allegation that due to previous enmity the petitioners attacked the de-facto complainant with wooden logs and bricks and the injured was already discharged from the hospital, this court is inclined to grant anticipatory bail to the petitioners with certain conditions:

6. Accordingly, the Criminal Original Petition is allowed and the petitioners are ordered to be released on bail in the event of their arrest or their appearance, on



two sureties each for a like sum to the satisfaction of the learned judicial Magistrate,
Thiruvadanai, Ramanathapuram District;

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[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;

[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];



[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

sd/-
29/10/2024

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

TO

1 THE JUDICIAL MAGISTRATE,
THIRUVADANAI,
RAMANATHAPURAM DISTRICT.

2 DO THROUGH,
THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM.

3 INSPECTOR OF POLICE,
R.S MANGALAM POLICE STATION,
R.S MANGALAM TALUK,
RAMANATHAPURAM DISTRICT.



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

ORDER
IN
CRL OP(MD) No.18821 of 2024
Date :29/10/2024

MGJ/SKN(15.11.2024) 5P 5C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023