



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.18815 of 2024

Chandrasekar,

... Petitioner/Sole Accused

Vs

State of Tamil Nadu,
Rep.by.The Inspector of Police,
Velliyanai Police Station,
Karur District.
(Crime No.368 of 2024).

... Respondent/Complainant

For Petitioner : B Santhanam Rajesh Kumar,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS PRAYER :-

Anticipatory Bail in Crime No.368 of 2024 on the file of the respondent Police.

ORDER : The Court made the following order :-

The petitioner/sole accused, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 133, 296(b), 351(2) of BNS in Crime No.368 of 2024 on the file of the respondent police, seek anticipatory bail.

<https://www.mhc.tn.gov.in/judis>



2.The case of the prosecution is that due to wordy quarrel arose between the de-facto complainant and the accused, the accused abused the de-facto complainant with filthy language and also threatened him with dire consequences. Hence, the case was registered.

3.The learned counsel for the petitioners would submit that the petitioner in an innocent and he is no way connected with the alleged occurrence. Hence, he prays for grant of anticipatory bail to the petitioner.

4.Heard the learned Government Advocate(Crl.side) appearing for the State.

5.Considering the nature of the allegation in this case the petitioner and the complainant belonging to the same political party in their WhatsApp group, the petitioner is said to have threatened the de facto complainant, I am inclined to enlarge the petitioner on anticipatory bail.

6.Accordingly, the Criminal Original Petition is allowed and the petitioner is ordered to be released on bail in the event of his arrest or his appearance, on executing 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 Judicial Magistrate No.II, Karur, Karur District.

(i)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;



(ii)the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, as and when required for interrogation;

(iii)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iv)the petitioner shall not abscond either during investigation or trial;

(v)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;

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

sd/-
29/10/2024

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

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TO

1.The Judicial Magistrate No.II,
Karur, Karur District.

<https://www.mhc.tn.gov.in/judis>



2. Do Through
The Chief Judicial Magistrate No.II,
Karur District.

3. The State of Tamil Nadu,
Rep.by. The Inspector of Police,
Velliyanai Police Station,
Karur District

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

CRL OP(MD) No.18815 of 2024
Date :29/10/2024

KVL/15.11.2024 4P/5C

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