



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.18870 of 2024

Jeyanjesu,

... Petitioner/ Accused No.2

Vs

The State of Tamil Nadu,
Rep By, The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.
Cr.No.240/2024..

... Respondent/ Complainant

For Petitioner : R.Manickam,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

Anticipatory Bail in Cr.No.240 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ A2d who apprehends arrest at the hands of the respondent police

for the offences punishable under sections 296(b), 118(1), 351(3)BNS and 4 of PHW

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



Act, in Crime No. 240 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 13.10.2024 at about 04.00 p.m when the de-facto complainant's husband quarrelled between the neighbours with drunken mood, the first accused attacked with wooden logs and abused him as well as his wife. Hence, the case was registered.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and a false case has been foisted against him.

4. Heard the learned Additional Public Prosecutor(Cri.Side) appearing for the respondent.

5. Considering the occurrence arise out of a wordy quarrel between the neighbours and it is a case and counter, this court is inclined to grant anticipatory bail to the petitioner with certain conditions:

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, Devakottai, Sivagangai District.

[a] 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

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card or Bank Pass Book to ensure their identity.

[b] 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.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 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].

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

sd/-

29/10/2024

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/ /2024

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

NS
TO

1.The Judicial Magistrate,
Devakottai,
Sivagangai District.

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



2. Do Through
The Chief Judicial Magistrate,
Sivagangai District.

3. The State of Tamil Nadu,
Rep.by.The Inspector of Police,
Devakottai Taluk Police Station,
Sivagangai District.

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

+1 CC to M/s.R.MANICKAM, Advocate (SR-13544[I] dated 04/11/2024)

CRL OP(MD) No.18870 of 2024
Date :29/10/2024

KVL/19.11.2024 4P/6C

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