



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.18866 of 2024

Thangamani,

... Petitioner/ Accused No.5

Vs

The State of Tamil Nadu,
Rep By The Sub Inspector of Police,
Karuppayoorani Police Station,
Madurai District.
Cr.No.109 of 2024.

... Respondent/ Complainant

For Petitioner : Mr.P.Senguttuarasan,
Advocate.

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

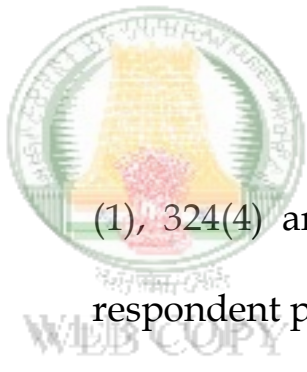
PRAYER :-

For Anticipatory Bail in Cr.No.109 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner/ A5, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 296(b), 115(2), 118

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



(1), 324(4) and 351(3) of BNS, 2023, in Crime No.109 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to enmity with regard to fixing the LED lamp in the defacto complainant's TATA Ace Vehicle, the petitioner along with his friend knocked on the door of the defacto complainant house and abused him in filthy language and attacked him with deadly weapon and also threatened him with dire consequences.

3.Heard. Perused the materials available on record including the First Information Report.

4.Considering the nature of occurrence that it is a case and counter arising out of money dispute and that the injured was discharged from the hospital, I am inclined to grant anticipatory bail to the petitioner, with certain conditions:

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.II, Madurai, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



[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 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

/ TRUE COPY /

/ /2024

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



TO

1. The Judicial Magistrate No.II, Madurai.
2. Do-Through The Chief Judicial Magistrate,
Madurai District.
3. The Sub Inspector of Police,
Karuppayoorani Police Station,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC to M/s.P.Senguttuarasan, Advocate SR.No.13557[I] dated 04/11/2024

CRL OP(MD) No.18866 of 2024

Date :29/10/2024

KVL/15.11.2024 4P/6C

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