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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.18955 of 2024

1.Harish @ Jeyaharish

2.Jeyakumar @ Jeyachandran

... Petitioners / Accused 1 & 3

Vs

The State of Tamil Nadu

Represented by the Inspector of Police,

Bodinayakkanur Town Police Station,

Theni District.

(Crime No.339 of 2024)

... Respondent/Complainant

For Petitioner : M/s.Veerapandi.P,

Advocate

For Respondent : Mr.Thanga Aravindh.B,

Government Advocate,

(Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No.339/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police



for the alleged offences under Sections 296(b), 329(4), 305, 115(2), 118(1) and 351(3) of BNS Act, 2023, in Crime No.339 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a property dispute and on the date of occurrence, the accused persons are said to have attacked the defacto complainant, as a result which, the defacto complainant sustained injuries in the shoulder and head. Hence, the case.

3. The learned Government Advocate (Criminal Side), on instructions, submitted that the defacto complainant has already been discharged from the hospital and that the entire incident had taken place due to a property dispute.

4. Taking into consideration the facts and circumstances of the case and also considering the fact that the defacto complainant has already been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions.

5. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of their arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, Bodi, Theni, 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 said Magistrate, on further condition that:

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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 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]; and;



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

sd/-
04/11/2024

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

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TO

1 THE JUDICIAL MAGISTRATE
BODI, THENI.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, THENI
DISTRICT.

3 THE INSPECTOR OF POLICE,
BODINAYAKKANUR TOWN POLICE STATION,
THENI DISTRICT.

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

+1 CC to M/s.P.VEERAPANDI, Advocate (SR-13626[I] dated 06/11/2024)
CRL OP(MD) No.18955 of 2024
Date :04/11/2024

BV (14/11/2024) 4P/ 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.