



CRL OP(MD). No.18989 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 04.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.P.Sathiya Poneeswaran

2. S.Malar

... Petitioners 1&2 / Accused Nos. 1 & 2

3.V.Sanjay Kumar

... 3rd petitioner / Accused (Rank not known)

Vs

The State of Tamil Nadu

Represented by the Sub-Inspector of Police,

Thallakulam Police Station (Law & Order)

Madurai District.

(Crime No.1113 of 2024)

... Respondent/Complainant

For Petitioner : M/s.Saravana Bagavathy.K,
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.1113/2024 on the file of the respondent police.



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ORDER : The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 191(2), 127(2), 294(b), 115(2), 324(2), 351(3) of BNS Act, 2023, in Crime No.1113 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the collection agent and the accused persons had borrowed money and when the defacto complainant went for collecting the loan that was taken to purchase a vehicle, there was a wordy quarrel and he was attacked by the accused persons. Hence, the case.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and also the fact that the entire incident had taken place in the spur of the moment and there are no bad antecedents against the petitioners and the defacto complainant did not sustain any serious injuries, 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

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No.II, Madurai, on condition that the petitioners 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:

[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



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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 Court No.II,
Madurai.
2. Do through
The Cheif Judicial Magistrate,
Madurai.
3. The Sub-Inspector of Police,
Thallakulam Police Station (Law & Order)
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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ORDER
IN
CRL OP(MD) No.18989 of 2024
Date : 04.11.2024

SL(25.11.2024)/ 5P/ 5C

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