



CRL OP(MD). No.19118 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 11/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1. Salai @ Salaman,

2. Mani @ Sagaya Subhash,

3. Chirsthu @ Christhuraj

... Petitioners/ Accused Nos.1, 3 and 4

Vs

The State of Tamil Nadu,
Rep.By, the Inspector of Police,
Thangachimadam Police Station,
Ramanathapuram District.
Crime No.136 of 2024).

... Respondent/Complainant

For Petitioners : Mr.Karthick Ramkumar.S,
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 Crime No.136 of 2024 on the file of the Respondent Police.



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ORDER : The Court made the following order :-

The petitioner/accused Nos.1, 3 and 4, who apprehend arrest at the hands of the respondent police for the offences punishable under sections 296(b), 115(2), 118(1) and 351(2) of BNS Act, 2023 in Crime No.136 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the daughter of the *defacto* complainant was married to one Melraj and there was a strained relationship. The accused persons are said to have entered into the house of the *defacto* complainant and abused him in filthy language and punched the *defacto* complainant in his chest and hands. As a result, he sustained injury in his eyes and he was admitted in the hospital.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

4. Taking into consideration the facts and circumstances of the case and also considering the fact that there was a family dispute between the parties and there are no previous cases against the petitioners and Accused No.2 was already arrested



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and released on bail and the petitioners herein are Accused Nos.1, 3 and 4, this Court is 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 arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Rameshwaram, on condition that the petitioners shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:

[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] the petitioners shall report before the respondent police on every Monday and Friday at 05.30 p.m. within a period of four weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;



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[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 petitioner 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/-
11/11/2024

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/11/2024

Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TSG
TO
1 THE JUDICIAL MAGISTRATE
RAMESHWARAM.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.



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3 THE INSPECTOR OF POLICE,
THANGACHIMADAM POLICE STATION,
RAMANATHAPURAM DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.KARTHICK RAMKUMAR, Advocate (SR-13902[I] dated
12/11/2024)

ORDER

IN

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Date :11/11/2024

SS/SAR- /25/11/2024/ 5P/6C

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