



CRL OP(MD). No.19224 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 07.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19224 of 2024

George Welington

... Petitioner/ Accused Rank Not Known

Vs

The Inspector of Police,
Uvari Police Station,
Tirunelveli District.
(Crime No.162 of 2024)

... Respondent/Complainant

For Petitioner : M/s.Pon Karthikeyan.R, Advocate

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

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

PRAYER :-

For Anticipatory Bail in Crime No.162/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 296(b), 118(1), 351(3) of the BNS and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act, in Crime No.162 of 2024 on the file of the respondent police, seeks anticipatory bail.



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2. The case of the prosecution is that the petitioner and the defacto complainant are husband and wife and that there was some dispute and the petitioner along with two others attacked the defacto complainant and caused injuries. There are totally 3 accused persons in this case and the petitioner has been arrayed as A1.

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 there is already a matrimonial dispute between the parties and the injured has already been discharged from the hospital, this Court is 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 Court, Rathapuram, Tirunelveli, 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



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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 appear before the respondent Police 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/-
07/11/2024

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/11/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pal

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TO

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1 THE JUDICIAL MAGISTRATE, RATHAPURAM, TIRUNELVELI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE INSPECTOR OF POLICE, UVARI POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.R.PON KARTHIKEYAN, Advocate (SR-13721[I] dated 08/11/2024)

ORDER

IN

CRL OP(MD) No.19224 of 2024

Date :07/11/2024

RS//SAR-(23.11.2024) 4P 6C

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