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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19121 of 2024

Saravanan @ Saravanakumar

... Petitioner/ Accused No.1

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Kottampatti Police Station,
Madurai District.
(Crime No.329 of 2024)

... Respondent/ Complainant

For Petitioners: M/s.Kannappan.A.R

Advocate

For Respondent : Mr.Thanga Aravind.B,

Government Advocate

(Criminal Side)

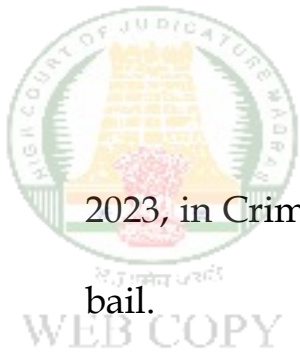
PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No.329/2024 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



2023, in Crime No.329 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 31.10.2024, the defacto complainant was returning from his village and the petitioner and the other accused persons were bursting crackers. The son of the defacto complainant's brother questioned the accused persons and asked them to stop bursting crackers. This resulted in a wordy quarrel and the accused persons attacked the defacto complainant with iron rod and caused serious injuries. 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 the entire incident had taken place in the spur of the moment and there are no previous cases against the petitioner and the injured has already been discharged from the hospital, this Court is inclined to grant anticipatory bail the petitioner subject to the following conditions.

5. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate cum District Munsif, Melur, 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 said Magistrate, 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 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]; and;

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

sd/-

06/11/2024

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/ /2024

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



1. The Judicial Magistrate cum
District Munsif,
Melur, Madurai

2. Do through
The Chief Judicial Magistrate,
Madurai.

3. The Inspector of Police,
Kottampatti Police Station,
Madurai District.

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

+1 CC to M/s.A.R.Kannappan , Advocate(SR- 13688[I] dated 07/11/2024)

ORDER IN
CRL OP(MD) No.19121 of 2024
Date :06/11/2024

BV (13/11/2024) 4P/ 6C

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