



CRL OP(MD)No.19263 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 08.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1.K.Rubinathan
2.R.Kanthavel
3.K.Muneeswaran
4.S.Stalin
5.K.Ramachandran
6.Karupayee

... Petitioners/ Accused No.1 to 6

Vs

State of Tamil Nadu through
The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
(Crime No.304 of 2024)

... Respondent/Complainant

For Petitioners : M/s.S.Ramsundarvijayraj
Advocate

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

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



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PRAYER:-

For Anticipatory Bail in Crime No.304/2024 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 191(2), 296(b), 118(1) of BNS** in Crime No.304 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that two groups belonging to the same village attacked each other on 02.11.2024 as a result of which a case and counter case was registered in Crime Nos.304 and 305 of 2024. Hence, the case.

3.The learned Government Advocate(Crl.side) on behalf of the respondent police submits that the injured is still in hospital. However, the learned Counsel on behalf of the petitioners submitted that injured had already been discharged from the hospital.

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

5. Taking into consideration the facts and circumstances of the case and also the manner in which the entire incident had taken place, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.



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6. 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 Judicial Magistrate, Kamuthi, Ramanathapuram District 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 by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme



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Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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[f] if the accused thereafter absconds, a fresh FIR can be registered under

Section 229-A IPC.

sd/-

08/11/2024

(*) Amended as per order of the Court dated 06.12.2024 in CRL MP(MD) No.13279 of 2024 in CRL OP(MD) No.19263 of 2024)

Time is extended by one week from today to comply the order of this Court in CRL OP(MD) No.19263 of 2024 dated 08.11.2024.

/ TRUE COPY /

06/12/2024

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

RJR

TO

TO BE SUBSTITUTED WITH THE ORDER DATED 08.11.2024 ALREADY
DESPATCHED

- 1 THE JUDICIAL MAGISTRATE,
KAMUTHI, RAMANATHAPURAM DISTRICT.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT
- 3 THE INSPECTOR OF POLICE,
KAMUTHI POLICE STATION,
RAMANATHAPURAM DISTRICT.



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

+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-15000[I] dated 06/12/2024
)

ORDER

IN

CRL OP(MD) No.19263 of 2024

Date :08/11/2024

SS/GSV/SAR- /21/11/2024/ 5P/6C

ED/ /SAR- (06/12/2024) 5P / 6C

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