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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

CRL OP(MD)No.19350 of 2024

1.Vijaya Prakash
2.Siva
3.Sarathkumar ... Petitioners/accused rank not known to the petitioners

Vs

The State of Tamil Nadu
represented by
The Inspector of Police,
Singampunari Police Station,
Sivagangai District.
Crime No.308 of 2024) ...1st Respondent/Complainant

For Petitioners : M/s.R.Ganeshprabu
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.308/2024 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 281, 125(a), 296(b), 115(2), 118(1) of BNS Act in Crime No.308 of 2024 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 31.10.2024, two groups attacked each other and as a result FIR came to be registered in Crime No.308 of 2024 and the same is being investigated as case and counter case. There are three accused persons and all the three have filed the anticipatory bail petition. 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 that the entire incident had taken place in this spur of the movement and the case and counter case is now under investigation, this Court is inclined to grant

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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 Judicial Magistrate Court, Singampunari 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;

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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 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 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/-
08/11/2024

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

rjr

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TO

1. The Judicial Magistrate Court, Singampunari.

2. -do through The Chief Judicial Magistrate, Sivagangai District.

3. The Inspector of Police,
Singampunari Police Station,
Sivagangai District.

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

ORDER
IN
CRL OP(MD) No.19350 of 2024
Date :08/11/2024

RD(25/11/2024) 5P / 5C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.

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