



CRL OP(MD). No.19439 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 11/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH
CRL OP(MD). No.19439 of 2024

Arivumuniyandi,

... Petitioner/ Accused No.2

Vs

State of Tamil Nadu Rep By,
The Inspector of Police,
Sedapatty
Police Station,
Madurai District.
In Crime No. 140/2024..

... Respondent/Complainant

For Petitioner : Mr.D.S.Haroon Rasheed,
Advocate.

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.140/2024 on the file of the respondent Police.

ORDER : The Court made the following order :-



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The petitioner/accused No.2, who apprehends arrest at the hands of the respondent police for the offences under sections 324, 307, 506(1) and 109 of I.P.C., in Crime No. 140 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a previous enmity between the *defacto* complainant and his neighbour. The family members of the neighbour infact had given a complaint against the *defacto* complainant and others and the same resulted in a criminal case registered against the *defacto* complainant and others. In that case, Accused Nos.3 and 4 were examined as witnesses. There was a wordy quarrel between Accused Nos.3 and 4 and the *defacto* complainant. As a result, Accused No.1 is said to have assaulted the *defacto* complainant and his family members. There are totally four accused persons in this case and the petitioner has been arrayed as Accused No.2.

3. Heard the learned counsel appearing for the petitioner 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 of the fact that there was a previous enmity between the parties and there is one



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previous case pending against the petitioner and the injured has already been discharged from the Hospital, this Court is inclined to grant anticipatory bail to 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 learned District Munsif cum Judicial Magistrate, Peraiyur 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] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[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



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investigation or trial;

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[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/-
11/11/2024

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



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TO

- 1.The District Munsif cum Judicial Magistrate,
Peraiyur.
2. -do through The Chief Judicial Magistrate, Madurai District.
- 3.The Inspector of Police,
Sedapatty Police Station,
Madurai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

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Date :11/11/2024

RD(25/11/2024) 5P / 5C

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