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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 12/11/2024

PRESENT

The Hon`ble Mr.Justice **N.ANAND VENKATESH**

CRL OP(MD). No.19512 of 2024

1. Ramesh

2. Kavitha

3. Pandiammal @servakkal

4. Chinnakalai

5. Kasi

... Petitioners/ Accused No.1 to 5

Vs

The State of Tamilnadu,
Rep., By the Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.

Crime No.311 of 2024.

... Respondent/ Complainant

For Petitioner : M/s. Berdin Vinodh.U.M,

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

For Intervenor : Mr.Paul Murugesh

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



PRAYER :-

For Anticipatory Bail in Crime No. 311 of 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 offence under Sections 191(2), 191(3), 118(1), 296(b) and 351(2) BNS (hereinafter referred to as new penal code) in Crime No.311 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 31.10.2024, while playing cricket, there was a wordy quarrel and as a result, the defacto complainant was attacked and he was abused in filthy language. There are totally 5 accused persons in this case. All of them have filed the present anticipatory bail petition.

3. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent police and the learned Counsel appearing for the intervenor.

4. Taking into consideration the facts and circumstances of the case and the manner, in which, the incident had taken place and also of the fact that there is a case and counter case in Crime Nos.310 and 311 of 2024 investigated by the respondent police, this Court is inclined to grant anticipatory bail to the petitioners. Accordingly,



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this criminal original petition is ordered and 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 learned **District Munisf cum Judicial Magistrate No.I, Usilampatti, Madurai District**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each, 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 petitioners fail to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled.

[b] 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.

[c] the **petitioners** shall report before the **respondent police every Friday at 05.30 p.m for a period of four weeks** and thereafter, as and when required for interrogation.

[d] the **petitioners** shall not tamper with evidence or witness either during investigation or trial;

[e] the **petitioners** shall not abscond either during investigation or trial;



[f] 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;

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

sd/-
12/11/2024

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/ /2024

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High

Court,

Madurai - 625 023.

LR

TO

1. The District Munisf cum Judicial Magistrate No.I,
Usilampatti, Madurai District.

2.Do Through
The Chief Judicial Magistrate,
Madurai.

3. The Inspector of Police,
Usilampatti Taluk Police Station,
Madurai District.

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



CRL OP(MD) No.19512 of 2024

Date :12/11/2024

KVL (26.11.2024) 5P/ 5C

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