



CRL OP(MD). No.19584 of 2024

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

Date : 13/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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1. Mahendran

2. Dhilak

... Petitioners/ Accused No.1 & 2

Vs

State of Tamilnadu Rep.By,
The Sub Inspector of Police,
Uthamapalayam Police Station,
Theni.
(Crime No.328 of 2024).

... Respondent/Complainant

For Petitioners : M/s Thenrajan.K., 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.328 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



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police for the alleged offence under Sections 191(2), 191(3), 296(b), 115(2), 118(1), 351(3) of BNS Act in Crime No.64 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was some dispute in installation of Air Conditioner Outdoor unit in the wall of the defacto complainant. On the date of incident, the accused persons are said to have developed a wordy quarrel and assaulted the defacto complainant with iron rod. There are totally six accused persons and the petitioners are arrayed as A1 and A2.

3. On instructions the learned Government Advocate (Crl.Side) submitted that the injured underwent treatment as inpatient for four days and thereafter, he was discharged from the hospital. The first petitioner is having one previous case and the second petitioner is having three previous cases.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

5. Taking into consideration of the facts and circumstances of the case and the nature of allegations made against the petitioners, this Court is inclined to grant to grant anticipatory bail to the petitioners.

6. Accordingly, this criminal original petition is ordered and the petitioners are ordered to be released on anticipatory bail in the event of arrest or on



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their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Uthamapalayam, 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 Fridays at 05.30p.m., for a period of 8 weeks, 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



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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/-
13/11/2024

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

PNM

To

1.The Judicial Magistrate,
Uthamapalayam.

2.Do through the Chief Judicial Magistrate,
Theni District.



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3.The Sub Inspector of Police,
Uthamapalayam Police Station,
Theni.

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

+2 CC to M/s.K.THENRAJAN, Advocate (SR-13960[I] dated 13/11/2024)

ORDER
IN
CRL OP(MD) No.19584 of 2024
Date :13/11/2024

ED/ /SAR- (15/11/2024) 5P / 7C

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