



CRL OP(MD). No.19882 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

CRL OP(MD). No.19882 of 2024

Karuppaiah

... Petitioner / Accused No.2

Vs

The Inspector of Police,
Maraneri Police Station,
Virudhunagar District.
(Crime No.132 of 2024)

... Respondent/Complainant

For Petitioner : Mr.E.Marees Kumar, Advocate
For Respondent : Mr.A.Albert James,
Government Advocate (Criminal Side)

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

PRAYER :-

For Anticipatory Bail in Crime No.132/2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 296(b), 115(2), 351(2) of BNS Act and r/w. Section 4 of TNPHW Act and altered into 296(b), 105, 351(2) of BNS r/w. Section 4 of the TNPHW Act, in Crime No.132 of 2024 on the file of the respondent police, seeks



CRL OP(MD). No.19882 of 2024

anticipatory bail.

WEB COPY

2. The case of the prosecution is that there was an altercation between the accused and the defacto complainant and the defacto complainant was pushed down and sustained severe injuries. The defacto complainant died after 16 days. There are totally 3 accused persons in this case and the petitioner has been arrayed as A2.

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 considering the age of the petitioner who is 78 years and the manner in which the incident had taken place, this Court is inclined to grant anticipatory bail to the petitioner with certain 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 Judicial Magistrate No.1, Sivakasi, 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] the petitioner and the sureties shall affix their photographs and Left Thumb



CRL OP(MD). No.19882 of 2024

WEB COPY

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 petitioner shall report before the respondent police daily at 10.30 a.m. for a period of 3 weeks and thereafter, as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 269 of BNS, 2023.

sd/-
18/11/2024

/ TRUE COPY /

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

pal

<https://www.mhc.tn.gov.in/judis>



CRL OP(MD). No.19882 of 2024

TO

WEB COPY

1 THE JUDICIAL MAGISTRATE NO.I, SIVAKASI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

3 THE INSPECTOR OF POLICE, MARANERI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.E.MAREES KUMAR, Advocate (SR-14167[I] dated 18/11/2024)

ORDER

IN

CRL OP(MD) No.19882 of 2024

Date :18/11/2024

RS//SAR-(23.11.2024) 4P 6C

Madurai Bench of Madras High Court is issuing
certified copies in this format from 17/07/2023