



CRL OP(MD). No.19620 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. V.Arumugam

2. A.Puthusilamban

... Petitioners/ Accused 1 & 2

Vs

The State of Tamil Nadu,
Rep.By, the Inspector of Police,
Nagamalai Puthukottai Police Station,
Madurai District.
(Crime No.436 of 2024).

... Respondent/Complainant

For Petitioner : M/s.K.Lenin, 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.436 of 2024 on the file of the
Respondent Police.



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ORDER: The Court made the following order :-

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 296(b), 115(2), 324(4), 351(3) of BNS Act in Crime No.436 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a land dispute between the parties. On the date of occurrence, the accused persons are said to have attacked the defacto complainant with stick and the hands and also damaged the shed.

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

4. Taking into consideration of the facts and circumstances of the case and considering the fact that there was prevailing dispute between the parties and there are no previous cases against the petitioners and the injured has already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

5. 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No. VI, Madurai, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand



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only) each with two sureties each for a like sum to the satisfaction of the respondent

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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 fail to surrender before the Magistrate within fifteen days, this order shall stand automatically cancelled;

[b] the petitioner 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 petitioner shall report before the respondent police as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner 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 petitioner in accordance with law as if the conditions



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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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
13/11/2024

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/12/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

PNM
TO
1 THE JUDICIAL MAGISTRATE NO.VI,
MADURAI.

2 DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
NAGAMALAI PUTHUKOTTAI POLICE STATION,
MADURAI DISTRICT.

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



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ORDER

IN

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Date :13/11/2024

SA/GSV/SAR. /11.12.2024/5P/5C

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