



CRL OP(MD). No.19657 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/11/2024

PRESENT

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

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1. Kathiresan

2. Logu@ Logachandran

3. Kesavan

4. Nagalingam

... Petitioners/2nd, 3rd, 4th & 8th Accused

Vs

The State of Tamilnadu Rep.By,
The Inspector of Polce,
Ilayangudi Police Station,
Sivagangai District.
(Crime No.317 of 2024).

... Respondent/Complainant

For Petitioner : Mr.Gurudas M,

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

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS



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PRAYER :-

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For Anticipatory Bail in Crime No.317 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), 296(b), 115(2), 118(1), 109(2) and 351(3) BNS (hereinafter referred to as new penal code) in Crime No.317 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 15.10.2024 morning, a dispute arose in a Kabadi competition. As a result, the accused persons are said to have attacked the defacto complainant and others. There are totally eight accused persons in this case and the petitioners have been arrayed as A2, A3, A4 and A8.

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

4. Taking into consideration the facts and circumstances of the case and also considering the fact that the entire incident had taken place due to previous dispute



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in a Kabadi competition and there are no previous cases pending against the petitioner and the injured have already been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners. 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 **District Munsif cum Judicial Magistrate, Ilayangudi** 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 Monday and Friday at 05.30 p.m for a period of four weeks and thereafter, as and when required for interrogation.



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[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/-
14/11/2024

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/11/2024

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

LR

TO

1 THE DISTRICT MUNSIF
CUM JUDICIAL MAGISTRATE, ILAYANGUDI.



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2 DO-THROUGH :

THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
ILAYANGUDI POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.M.GURUDAS, Advocate (SR-13996[I] dated 14/11/2024)

ORDER
IN

CRL OP(MD) No.19657 of 2024

Date :14/11/2024

SS/SAR- /25/11/2024/ 5P/6C

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