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CRL OP(MD). No.19741 of 2024

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

Date : 15/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH
CRL OP(MD). No.19741 of 2024

1. Murugesan

2. Vengatesh

3. Bharathi

... Petitioners/ Accused 1 to 3

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Valanadu Police Station,
Tiruchirappalli District,
Crime No. 168 of 2024.

... Respondent

For Petitioner : Mr. Madasamy. T.M, 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. 168 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 296(b), 133, 115(2), 118(1) and 351(3) BNS (hereinafter referred to as new penal code) in Crime No.168 of 2024 on the file of the respondent police, seek anticipatory bail.



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2. The case of the prosecution is that on Deepavali day i.e., on 31.10.2024, the defacto complainant's son was bursting crackers. The same was questioned and the same led to an altercation. The defacto complainant's son and his wife were attacked and sustained injuries. They were also threatened and abused in filthy language.

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 the manner, in which, the entire incident had taken place and also considering the fact that there are no previous cases pending against the petitioner and the two injured persons 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 Judicial Magistrate, Manapparai, 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.



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[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 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/-
15/11/2024

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/11/2024

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

LR

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



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TO

1. THE JUDICIAL MAGISTRATE, MANAPPARAI

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, TRICHY.

3. THE INSPECTOR OF POLICE,
VALANADU POLICE STATION, TIRUCHIRAPPALLI DISTRICT.

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

+1 CC to M/s.T.M.MADASAMY, Advocate (SR-14063[I] dated 15/11/2024)

ORDER

IN

CRL OP(MD) No.19741 of 2024

Date :15/11/2024

RK/ (25/11/2024) 4P / 6C

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