



CRL OP(MD). No.19743 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 15/11/2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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S. Gokulsiva @ Siva

... Petitioner/ Accused No.3

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Siruganur Police Station,
Trichy District.
(Crime No. 175/2024.)

... Respondent/Complainant

For Petitioner : M/s. Vetrivel. B, 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. 175 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 petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 126(2), 296(b), 115(2), 118(1), 303(1) and 351(3) BNS (hereinafter referred to as new penal code) in Crime No.175 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 and that on 29.10.2024, the accused persons intercepted the defacto complainant and attacked him and abused him in filthy language. There are totally four accused persons in this case and the petitioner has been arrayed as A3.

3. Heard the learned counsel appearing for the petitioner 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 there is a case and counter case in Crime Nos.175 and 176 of 2024 pending investigation on the file of the respondent police and the injured has been discharged from the hospital and also considering that A1, A2 and A4 have already been granted anticipatory bail in Crl.O.P(MD)No.19458 of 2024, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is ordered and the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of



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fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Lalgudi, 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] if the petitioner fail to surrender before the said Magistrate within a period of 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 daily 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 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



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in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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[g] if the accused thereafter absconds, a fresh FIR can be registered under

Section 229-A IPC.

sd/-

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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 Judicial Magistrate,
Lalgudi.

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

3.The Inspector of Police,
Siruganur Police Station,
Trichy District.

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

+1 CC to M/s.K.PRAGADEESH KUMAR, Advocate (SR-14144[I] dated 18/11/2024
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ORDER

IN

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Date :15/11/2024

ED/ /SAR- (27/11/2024) 5P / 6C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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