



CRL OP(MD). No.20135 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 20/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

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R.Dhanapal,

... Petitioner/ Accused No.2

Vs

State of Tamil Nadu Rep. By,
The Inspector of Police,
Karaikudi North Police Station,
Sivagangai District.
(Crime No. 371 of 2024).

... Respondent/ Complainant

For Petitioner : Mr.P.Devarajan,
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. 371 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/accused No.2, who apprehends arrest at the hands of the respondent police for the offences under sections 191(2), 115(2), 303(2), 324(4) and 351(3) of BNS @ 191(2), 115(2), 303(2), 324(4), 351(3) and 109 of BNS in Crime No.371 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the *defacto* complainant is a practising Advocate and he had visited the subject property on behalf of his client since there was a civil dispute between the client of the *defacto* complainant and the petitioner. On 13.09.2024, when the *defacto* complainant along with his client and relatives came to the property, the petitioner with the help of his henchmen numbering more than 50 persons threatened the *defacto* complainant and attacked the *defacto* complainant and others, who accompanied them. That apart, he also took away the mobile phone, chain and ring from the *defacto* complainant. Damage was also caused to the car belonging to the *defacto* complainant. There are totally 52 accused persons in this case and the petitioner has been arrayed as Accused No.2.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.



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4. Taking into consideration the facts and circumstances of the case and also considering the fact that this Court has already granted anticipatory bail to Accused No.1 in Crl.O.P.(MD).No.19511 of 2024, by an order dated 12.11.2024 and other accused persons also have been released on bail, this Court is inclined to grant anticipatory bail to the petitioner subject to the following 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 learned Judicial Magistrate, Karaikudi, 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 fails to surrender before the said Magistrate within a period of fifteen days, this order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent police every Monday and Friday at 05.30 p.m. for a period of six weeks and thereafter, as and when required for interrogation;



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[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/-
20/11/2024

/ TRUE COPY /

/12/2024

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

TSG
TO

1 THE JUDICIAL MAGISTRATE
KARAIKUDI.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT.



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3 THE INSPECTOR OF POLICE,
KARAIKUDI NORTH POLICE STATION,
SIVAGANGAI DISTRICT.

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

ORDER
IN
CRL OP(MD) No.20135 of 2024
Date :20/11/2024

SS/VR/SAR- /02/12/2024/ 5P/5C

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