



CRL OP(MD). No.20116 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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1. Kalaiselvi,

2. Premalatha,

3. Sumithra,

4. Sasikala,

5. Premnath,

6. Selvaraj,

7. Ramya,

... Petitioners/ Accused Nos.1 to 7

Vs

The State of Tamilnadu,
Rep.By,
The Sub Inspector of Police,
Natham Police Station,
Dindigul District.
(Cr.No.626/2024).

... Respondent/ Complainant



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For Petitioners : Mr.R.Saravana Kumar,
Advocate.
For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No.626 of 2024 on the file of the respondent police

ORDER : The Court made the following order :-

The petitioners /accused Nos.1 to 7, who apprehend arrest at the hands of the respondent police for the offences under sections 191(2), 296(b), 115(2), 118(1), 133, 49 of BNS and Section 4 of the Prohibition of Harassment of Women Act, 2002 in Crime No.626 of 2024 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a previous dispute between the parties and that on 08.11.2024, at about 02.00 p.m., there was a wordy quarrel between the petitioners and the *defacto* complainant and her daughter and the petitioners herein abused the *defacto* complainant and her daughter in filthy language and they also attacked them.



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

4. Taking into consideration the facts and circumstances of the case and the manner in which the incident had taken place and and considering the fact that there is a case and counter case in Crime Nos.626 and 627 of 2024 pending investigation before the respondent Police and the injured having been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

6. Accordingly, 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, Natham, on condition that the petitioner 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 shall report before the respondent police as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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



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TO
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- 1 THE JUDICIAL MAGISTRATE,
NATHAM.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
DINDIGUL DISTRICT.
- 3 THE SUB INSPECTOR OF POLICE,
NATHAM POLICE STATION, DINDIGUL DISTRICT
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.SARAVANAKUMAR, Advocate (SR-14291[I] dated 20/11/2024)

ORDER
IN
CRL OP(MD) No.20116 of 2024
Date :20/11/2024

SS/GSV/SAR- /02/12/2024/ 5P/6C

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