



CRL OP(MD). No.20360 of 2024

WEB COPY

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

Date : 22.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH
CRL OP(MD). No.20360 of 2024

Mathan @ Madhankumar

... Petitioner / Accused No.1

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Thoothukudi Central Police Station,
Thoothukudi District.
(Crime No.224 of 2024)

... Respondent/Complainant

For Petitioner : Mr.S.Deepaksiva, Advocate

For Respondent : Mr.A.Albert James,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL UNDER SECTION 482 OF BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 224 of 2024 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 191(2), 191(3), 49, 296(b), 115(2), 351(3) of BNS and Section 3(1) of TNPPDL Act and Section 4 of the TNPHW Act, in Crime No.224 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 01.10.2024, the injured was threatened

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



CRL OP(MD). No.20360 of 2024

and verbally abused and was also attacked by the accused person. There are totally 8 named accused persons in this case and the petitioner has been arrayed as A1. Hence, the case.

3. Heard the learned counsel on either side and perused the material records of the case.

4. Taking into consideration the facts and circumstances of the case and also the fact that injured has already been discharged from the hospital and there are no previous cases as against the petitioner and also considering the fact that A5 was granted anticipatory bail by this Court in Crl.OP(MD).No.19303 of 2024 by order dated 08.11.2024, 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 their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court No.II, Thoothukudi 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] the petitioner and the sureties shall affix their photographs and Left Thumb



CRL OP(MD). No.20360 of 2024

WEB COPY

Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police as and when required for interrogation;

[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 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

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS, 2023.

sd/-
22/11/2024

/ TRUE COPY /

/ 12 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CRL OP(MD). No.20360 of 2024

TO
WEB COPY

- 1 THE JUDICIAL MAGISTRATE
NO.II, THOOTHUKUDI.
- 2 DO-THROUGH
THE CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
- 3 THE INSPECTOR OF POLICE,
THOOTHUKUDI CENTRAL POLICE STATION,
THOOTHUKUDI DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.20360 of 2024
Date :22/11/2024

PSP/ GSV /SAR /05.12.2024/ 4P/ 5C

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