



CRL OP(MD). No.20255 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 21/11/2024

PRESENT

The HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL OP(MD). No.20255 of 2024

Sathish

... Petitioner/ Accused No.3

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Gandhi Market Police Station,
Gandhi Market,
Trichy District,
(In Crime No.885 of 2021).

... Respondent/ Complainant

For Petitioner : Mr.G.Silambarasan,

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. 885 of 2021 on the file of the Respondent police.



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ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294(b) and 323 of IPC r/w Section 4 of TNPHW Act in Crime No.885 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a previous money dispute between the parties. On the date of occurrence, the accused persons are said to have gone to the house of the defacto complainant and abused him and family members in filthy language and threatened them and also attacked them. 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 the previous dispute between the parties and also considering the age of the petitioner and the fact that the injured has been discharged from the hospital, this Court is



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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 fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.V, Trichy**, 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 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;



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[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 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 269 of BNS 2023.

sd/-
21/11/2024

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/12/2024

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

LR

TO

1 THE JUDICIAL MAGISTRATE NO.V
TRICHY.

2 DO-THROUGH :
THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.

3 THE INSPECTOR OF POLICE,
GANDHI MARKET POLICE STATION,
GANDHI MARKET,
TRICHY DISTRICT



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

ORDER
IN
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Date :21/11/2024

SS/GSV/SAR- /11/12/2024/ 5P/5C

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