



CRL OP(MD). No.20525 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 28.11.2024

PRESENT

The Hon`ble Mr.Justice N.ANAND VENKATESH

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Balamurugan

... Petitioner / Sole Accused

Vs

The State of Tamil Nadu
Represented by the Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
(Crime No.200 of 2024)

... Respondent/Complainant

For Petitioner : Mr.G.Muniyandi,
Advocate

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Criminal Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS Act.

PRAYER :-

For Anticipatory Bail in Crime No. 200 of 2024 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 offences under Sections 296(b), 351(2) of BNS, in Crime No.200 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the husband of the defacto complainant and the petitioner are brothers. There was some family dispute between the parties. On 02.10.2024 at about 11.45 p.m., there was a wordy quarrel between the petitioners and the husband of the defacto complainant since the petitioner is said to have blocked the common pathway. The petitioner is said to have threatened the defacto complainant.

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 considering the fact that there is a property dispute between the parties and the parties are closely related, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which



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the order copy made ready, before the learned Judicial Magistrate, Thiruppuvanam, 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] 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.

[b] the petitioner shall appear 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 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].



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[f] If the accused thereafter absconds, a fresh FIR can be registered under

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Section 269 of BNS, 2023.

sd/-
28/11/2024

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

PAL
TO

1 THE JUDICIAL MAGISTRATE,
THIUPPUVANAM.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, SIVAGANGAI DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUPPACHETHI POLICE STATION,
SIVAGANGAI DISTRICT.

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

+1 CC to M/s.G.MUNIYANDI, Advocate (SR-14632[I] dated 28/11/2024)



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ORDER

IN

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Date :28/11/2024

SA/VR/SAR. /05.12.2024/5P/6C

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